

WPR22FA151

## **OPERATIONAL FACTORS**

Specialist's Factual Report - Attachment 2

Witness Statements and Emails

July 23, 2022



## **Record of Conversation**

**Fabian Salazar**  
**Air Safety Investigator**  
**National Transportation Safety Board**  
**Investigator in Charge**  
**Person Contacted: Kevin Gebhart, Airport Manager, Burley Airport (BYI)**

---

**NTSB Accident Number: WPR22FA151**  
**Aircraft Registration & Make/Model: N928JP / Cessna Grand Caravan 208B**  
**Accident Location: Heyburn, Idaho**  
**Accident Date: April 13, 2022 / 0835**

---

In an interview with the witness, he stated that on that morning the UPS drivers were in his office, and he called up FlightAware so that he could show the drivers where she was. He said that she made a missed (missed approach), and you could see fairly heavy wet snow. He said that she then went out, made a teardrop and came in. As she got closer to Heyburn he stated that she would be popping out any minute and they went outside to watch her land. He said that they looked and waited but then came back inside. He stated that FlightAware no longer had the flight. He then heard the sirens. He said that three to five minutes later the skies cleared with a broken layer. He said that on the first approach they had wet, heavy snow.

He stated that from his hangar, you could not see the stacks due to another hangar in the way.

When asked, he stated that he didn't know exactly how many times she had been to the airport but he indicated that it was frequent. He said that the airplane came in often but there were about three or four pilots who rotated through.

He said that she never activated the lights on the runway on the day of the accident. He stated that after the accident, he checked the [runway] lights and they did come on. He said that there were three intensities, five clicks, then two, then two. He stated that the runway also has the two strobes at the end of the runway.

When asked about the VASI, he stated that they were decommissioned by the FAA eight years ago. He said that when the stacks were made taller the bottom end of the VASI was too close to the stacks. He thought that it occurred in about 2015 or 2016. He said that originally their intent was to put 100 foot stacks up on the roof, and that they didn't have building permits for it. He said

that they negotiated with the FAA and the city and go them lowered. He said that he didn't think the stacks had been added to since they were installed.



## **Record of Conversation**

**Fabian Salazar**  
**Air Safety Investigator**  
**National Transportation Safety Board**  
**Investigator in Charge**  
**Person Contacted: Randy Hubble, IDS**

---

**NTSB Accident Number: WPR22FA151**  
**Aircraft Registration & Make/Model: N928JP / Cessna Grand Caravan 208B**  
**Accident Location: Heyburn, Idaho**  
**Accident Date: April 13, 2022 / 0835**

---

In a telephone conversation with Mr. Hubble, he stated that the accident pilot did not request any kind of anti-ice fluids on April 13, 2022. He researched their ICE Link program and reported that IDS pre-sprayed the airplane on April 12, 2022, due to a system that dropped rain then heavy snow on April 11<sup>th</sup>.

When asked about TKS fluid, he stated that there was a 6000-gallon poly-tank that held a fluid. That fluid was tested and failed so the entirety was discarded. He indicated that the only fluid IDS used was type I and type IV fluid. He said that some feeder pilots use a small sprayer and get fluid for them, and that fluid was type I. He said that the pilots need to request it. He believed that the 208B airplanes did not use a sprayer due to the height of the wings.

He did not know of a TKS fluid. He indicated that IDS did not have a container at their ramp that held TKS fluid.



## **Record of Conversation**

**Fabian Salazar**  
**Air Safety Investigator**  
**National Transportation Safety Board**  
**Investigator in Charge**  
**Person Contacted: Nathan McOmber, Feeder truck driver, UPS**

---

**NTSB Accident Number: WPR22FA151**  
**Aircraft Registration & Make/Model: N928JP / Cessna Grand Caravan 208B**  
**Accident Location: Heyburn, Idaho**  
**Accident Date: April 13, 2022 / 0835**

---

In an interview with the witness, he stated that he was backed up to a trailer waiting for it to be emptied so that he could pull it off and put another one on. He had the engine off, and both windows cracked open. He heard the airplane, when she cleared the cloud line, she went right into the steam cloud in less than a second. He said that he could see her through the steam cloud. He stated that as soon as he saw her, he knew that she was way to low. He said that as soon as she cleared the steam cloud, he could hear her "throttle it up, and she pulled the stick back because the nose of the plane went up, and right after the nose went up, she hit the pipe.

He said that ten minutes before she attempted to land it was a lot clearer. Within those ten minutes the snow went from little, tiny flakes to real big flakes, and the visibility had gotten considerably worse, but from the cloud line to the ground was still decent, and you could still see.

When asked he agreed that the six pipes were putting out the steam cloud (visible moisture). He stated that it was travelling right into her flight path. He explained that after the airplane hit the pipe, the back end came around, and flipped over and landed upside down. He thought that when the airplane pitched up it was at least 45°. When asked if he thought that she may have seen the tower, he stated, "Oh yeah, oh yeah, but the amount of time from when she saw it to when she hit it was a second, and it wasn't enough time to recover from the altitude that she was at."

When asked, he stated that it sounded like the engine noise increased while the nose went up. He stated that he didn't know a whole lot about flying but that he was at the location every day and he had seen the planes land often. He stated that it looked like she was preparing to land. He

stated that normally when she comes into land, she is higher than she was on the day of the accident.

He said that he called 911 after the accident happened.



## **Record of Conversation**

**Fabian Salazar**  
**Air Safety Investigator**  
**National Transportation Safety Board**  
**Investigator in Charge**  
**Person Contacted: Tim Vennell, Operations Manager, Gem Air**

---

**NTSB Accident Number: WPR22FA151**  
**Aircraft Registration & Make/Model: N928JP / Cessna Grand Caravan 208B**  
**Accident Location: Heyburn, Idaho**  
**Accident Date: April 13, 2022 / 0835**

---

In a telephone conversation with Mr. Vennell, he stated that Gem Air was an IFR operator that operated 5 Cessna 208B airplanes, as well as other airplanes. He stated that the company has three UPS contracts. Burley, Idaho, Moab, Utah, and Salmon, Idaho. He said that he rotated the pilots through the 3 locations. When asked about anyone voicing concerns with Burly Airport (BYI) he stated that all the pilots had voiced concerns and that he may have documentation.

He reported that the accident pilot started her employment with Gem Air on May 21, 2021 and started flying the Cessna 208B in November 2021. She conducted both the passenger flights and UPS contracts flights. She had passed her 135.293, 135.297, and 135.299 proficiency, instrument, and line checks on February 16, 2022.

When asked about Gem air providing flight following or flight locating, he stated that Gen Air did not have any type of satellite tracking system in the Cessna 208B airplanes.

When asked about pilots obtaining weather, he stated that the pilots are authorized to get weather from any of the approved weather sources, and that they may use iPads and Foreflight as long as the source is an approved weather source.

When asked about the TKS anti-ice system he indicated that the pilots put I the fluid before they depart. He stated that there was a drum of fluid in Salt Lake City (SLC), and that they carry extra fluid in the airplane. He also stated that if it is snowing the pilots will go to twin Falls Airport (TWF) due to them having de-ice.

**From:** [Dick Williams](#)  
**To:** [Lawrence David](#)  
**Subject:** Re: WPR22FA151 Gem Air accident  
**Date:** Sunday, May 22, 2022 5:32:49 PM

---

[CAUTION] This email originated from outside of the organization. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

I worked for JoAnn Wolters and Dan Schroeder, owners of Gem Air, from 1982-1985. I was the Director of Operations and Chief Pilot for Salmon Air Taxi, which later morphed into Mountain Air, Inc., Spirit Air, Gem Air, and possibly others. I quit their employment in 1985 for several reasons, including the disregard they had for both their employees and customers, illegal acts I saw them commit and asked me to commit, and a general disregard for safe operating practices and unethical behaviors. They asked me and others to fly aircraft out of inspection, and I witnessed unlicensed personnel performing maintenance on 135 aircraft. They repeatedly asked and urged me and my pilots to break numerous 135 rules and regulations. I saw both of them berate pilots in public for not completing missions due to bad weather or airplanes that weren't performing properly. During this 3 year period I witnessed Dan and JoAnn's lack of respect for rules, regulations, and safe aviation operating practices time and time again. I believe this dangerous culture of fear and intimidation was built during those years and continues to this day, and is evident in their accident and violation history.

I personally knew Wayne Bauman, who was involved in their first fatality. He was a cowboy who flew with his own mountain lion cub in a polished Luscombe. He changed cylinders for Salmon Air but was not a licensed A&P. He butted heads with them eventually because they were birds of the same feather. He quit because of mistreatment, but took their company credit card and went to Nevada where he enjoyed the houses of prostitution, etc., on the company card until JoAnn reported the card as stolen, had him arrested, and eventually they reached an agreement where Wayne would base in Challis and fly a 206 to pay off his debt to them. It was during this period that he crashed on a low approach to Indian Creek. (All this occurred after my employment with them).

Over the years I have followed their trail of wrecked and damaged airplanes (many not ever reported) as well as the streams of employees who would not stay with them. Their two children, David and Jo, grew up learning to conduct business in the same manner as their parents, and none of them ever worked for an outside aviation company to learn or know how one should actually be run. Dan is generally thought to be mentally unbalanced by many, and his son has shown similar tendencies and belligerence by asking people "to step outside and fight". (see previously forwarded email attachments to Salazar).

It is well known that Gem Air only meets minimum standards in pilot training. Have they ever included Burley as part of a 135 route check, since they are probably the primary commercial user of that airport? Why hadn't they noticed the dangers and anomalies of the instrument procedures until AFTER a fatal accident?

Note May 2007 B&CA article [Accident-Prone Flight Organizations](#) by Patrick Veillette, PhD.  
**TIMELINE**

1982: Dan Schroeder and JoAnn Wolters purchase Salmon Air Taxi from bankruptcy court. I had worked for two previous owners of SAT and was employed by them as CP and DO. I worked for them for 3 seasons during which time they had 2 accidents. I discovered later that one of them (8/13/83-N4772Q) was probably due to non-compliance with an AD on Cleveland wheel bolts, and quit employment after those accidents and other unsafe operations

(described above) became apparent. Name was changed at some point to Mountain Bird, Inc.  
82-86: Several unreported accidents/incidents including Joann running a 150/172 out of gas in Oregon/Washington, Dan ground looped a tailwheel aircraft at the Salmon airport, and other unverified or documented events.

10/10/86: Dan crashes Islander at Lower Loon, lands hard in tailwind and drives gear through the wing. This was after declining to land at Bernard (an easier, longer airstrip) due to wind, and refusing to land at the Flying B (easier still) because of a \$20 landing fee. He was no doubt under pressure from JoAnn to complete the mission.

6/15/90: N7582N fatal accident, Wayne Bauman and one other, noted above.

8/6/94: N47671 Piper Accident, fuel starvation after the pilot stated (to Lenny Skunberg and others) that JoAnn ordered him to keep circling over the airport until conditions improved.

12/6/04: N25SA Hailey, 2 fatalities

2022: Proposed fine of \$72,400 by FAA to Gem Air reduced. Older fine in the area of \$20,000 about twenty years ago. Please research.

They sold the company to Bob and Tom Wilkerson in about 2006 but retained ownership of the aircraft and leased them back under impossible terms. They inevitably took the company back after 2-3 years.

These people have never changed their ways and never will. They deserve a deep and thorough investigation into their culture of illegal, unsafe, and unscrupulous behavior that has cost lives and will continue to do so.

Respectfully submitted,

Richard K. Williams

On Wed, May 4, 2022 at 3:31 PM Lawrence David [REDACTED] > wrote:

Dick,

Thanks for providing this information, and I've reached out to each to provide statements. You are welcome to submit a statement as well, and can simply respond to this email with the information you'd like to share with the investigation.

Regards,

David

Captain David A. Lawrence

National Resource Specialist

(Air Carrier Operations)

Senior Aviation Accident Investigator

National Transportation Safety Board

490 L'Enfant Plaza East, SW

Washington, DC 20594

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Dick Williams <[REDACTED]>  
**Sent:** Tuesday, May 3, 2022 6:54 PM  
**To:** Lawrence David <[d\[REDACTED\]](#)>  
**Cc:** Salazar Fabian <[REDACTED]>  
**Subject:** Re: WPR22FA151 Gem Air accident

[CAUTION] This email originated from outside of the organization. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On Tue, May 3, 2022 at 4:12 PM Lawrence David <[REDACTED]> wrote:

Dick,

My name is David Lawrence, and I am assisting Fabian Salazar with the operations portion of the investigation of the Gem Air accident. Fabian forwarded me a list of potential witnesses you provided him. I will be happy to reach out to each, but per our protocols would need email addresses for initial contact.

Please forward me their email addresses so I can begin that process.

Regards,

David

Captain David A. Lawrence

National Resource Specialist

(Air Carrier Operations)

Senior Aviation Accident Investigator

National Transportation Safety Board

490 L'Enfant Plaza East, SW

Washington, DC 20594

[REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIALITY NOTICE - THIS E-MAIL TRANSMISSION MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, PROPRIETARY, SUBJECT TO COPYRIGHT, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT IS FOR THE USE OF INTENDED RECIPIENTS ONLY. If you are not an intended recipient of this message, please notify the original sender immediately by forwarding what you received and then delete all copies of the correspondence and attachments from your computer system. Any use, distribution, or disclosure of this message by unintended recipients is not authorized and may be unlawful.

CONFIDENTIALITY NOTICE - THIS E-MAIL TRANSMISSION MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, PROPRIETARY, SUBJECT

TO COPYRIGHT, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT IS FOR THE USE OF INTENDED RECIPIENTS ONLY. If you are not an intended recipient of this message, please notify the original sender immediately by forwarding what you received and then delete all copies of the correspondence and attachments from your computer system. Any use, distribution, or disclosure of this message by unintended recipients is not authorized and may be unlawful.

**From:** [REDACTED]  
**To:** [Lawrence David](#)  
**Cc:** [Salazar Fabian](#); [Tim Vennell](#)  
**Subject:** Re: FW: OPS Investigation Support Info and Req List (WPR22FA151)  
**Date:** Tuesday, May 3, 2022 3:49:28 PM

---

[CAUTION] This email originated from outside of the organization. Do not click any links or open attachments unless you recognize the sender and know the content is safe.

Hello David,

My apologies. I responded to your questions thinking that they came from Fabian so I sent responses to him instead of you. Please see below for answers to your questions that you sent Tim.

Best wishes,

David

On 2022-05-03 14:33, [REDACTED].com wrote:

> Hello Mr. Salazar,  
>  
> Tim asked me to help answer your questions so I'm writing in response  
> to those from earlier today.  
>  
> The baggage/cargo weight listed as 100 lbs only referred to what  
> Britney had assigned to the baggage area on her manifest. You are  
> correct that the total UPS load carried was 1815lbs. The 1813 lbs must  
> be a recording error resulting in the 2 lb discrepancy.  
>  
> The takeoff weight listed as 8762 is in error. That would actually be  
> the ramp weight of the aircraft prior to start up and taxi. After a  
> 25+ lb. allowance for fuel burn prior to takeoff for taxi/run-up, the  
> takeoff weight would have been 8737.  
>  
> Yes, the loads listed do not add up to the 8762. To get to the 8762  
> she could have not recorded the weight of possible additional items  
> such as her bike/personal gear and perhaps TKS reserves. The pilot  
> performs a manual calculation to determine the weight and balance. She  
> likely used a calculator/weight and balance ap on her phone to aid her  
> in this calculation where she may have accounted for the weight not  
> shown on the Gem Air form.  
>  
> Brittney personally brought her resume to me when she interviewed in  
> May 2021. It was printed out and we never received a digital copy. The  
> paper copy of her resume must have been lost as it could not be found  
> in her pilot or HR records. We do not have an employment application  
> and only require the resume to apply. I'm sorry I don't have anything  
> additionally to provide in regard to that.  
>  
> I have a request. I would like a private copy of the video referenced  
> in the NTSB preliminary report. I have spoken to 2 people now that  
> have seen the video that aren't involved with the FAA or NTSB or the  
> investigation but couldn't share the video with us. I'm hoping that

$\succ$ 
$$>$$
 $\succ$  $\succ$  $\succ$  $\succ$ 

>>

>>

>>

>>

>>

>>

>> [REDACTED]

\_\_\_\_\_

██████████

>> To:

>>

>>

>>

>> As part of our standard investigation, I need to develop an accurate  
>> weight and balance on the accident airplane so as to assist in  
>> determining performance abilities. Please let me know if I'm missing  
>> something, but in the weight and balance you provided in the Ops  
>> Checklist, you list a cargo weight of "100" pounds, and an actual  
>> takeoff weight from SLC at "8,762.6" pounds, which exceeds the

>> certificated maximum takeoff weight of the CE208 of "8,750" pounds.  
>> In addition, looking at the weights listed on the Gem Air form  
>> (attached) it shows a cargo weight of "1,813" pounds while the UPS  
>> load manifest (also attached) shows "1,815" pounds, and I don't see  
>> where the BEW, fuel/TKS weights and cargo weights can add up to  
>> "8,762.6" pounds for the ramp weight. Could you help clarify? And  
>> what source does the pilot utilize to determine CG for the Caravan?  
>>  
>> Also, I couldn't find the pilot's pre-employment application or resume  
>> in the dropbox documents.  
>>  
>> Thanks for your help.  
>>  
>> David  
>>  
>> From: [REDACTED] <[REDACTED]>  
>> Sent: Monday, May 2, 2022 1:42 PM  
>> To: Lawrence David <[REDACTED]>  
>> Cc: Salazar Fabian [REDACTED]  
>> Subject: RE: OPS Investigation Support Info and Req List (WPR22FA151)  
>> Sensitivity: Confidential  
>>  
>> [CAUTION] This email originated from outside of the organization. Do  
>> not click any links or open attachments unless you recognize the  
>> sender and know the content is safe.  
>>  
>> Hi David,  
>>  
>> Here number is: ([REDACTED]) I am assuming it was with Verizon but  
>> do not know for sure. You may have to reach out to the family for  
>> that information. She did not have a company phone.  
>>  
>> If I can help in any way, let me know.  
>>  
>> Blessings,  
>>  
>> Tim  
>>  
>> Tim Vennell  
>>  
>> Operations Manager  
>>  
>> Gem Air-Salmon, ID  
>>  
> [REDACTED]  
[REDACTED]  
[REDACTED]  
[1] [2] [3] [4]  
>>  
>> From: Lawrence David <[REDACTED]>  
>> Sent: Monday, May 2, 2022 12:28 PM  
>> To: [REDACTED]  
>> Cc: Salazar Fabian <[REDACTED]>  
>> Subject: RE: OPS Investigation Support Info and Req List (WPR22FA151)  
>> Sensitivity: Confidential  
>>

>> Tim,  
>>  
>> Got all the information from the dropbox downloaded, thanks!  
>>  
>> Could you provide me the pilot's cell phone number and carrier? I  
>> need to issue a standard subpoena for cell records.  
>>  
>> Thanks,  
>>  
>> David  
>>  
>> From [REDACTED]  
>> Sent: Wednesday, April 27, 2022 11:40 AM  
>> To: Lawrence David <[REDACTED]>  
>> Cc: 'Daniel Schroeder' <[REDACTED]>; Salazar Fabian  
>> [REDACTED]  
>> Subject: RE: OPS Investigation Support Info and Req List (WPR22FA151)  
>> Sensitivity: Confidential  
>>  
>> [CAUTION] This email originated from outside of the organization. Do  
>> not click any links or open attachments unless you recognize the  
>> sender and know the content is safe.

>>  
>> Hi David,  
>>  
>> I apologize for not getting this to you. I had sent the link to  
>> Fabian and he was passing it along to the FAA. Here is the folder  
>> that holds all the information.

>>  
>> [REDACTED]  
>>  
>> I hope you are able to see it all but if you do not see something that  
>> is needed, please let me know.

>>  
>> Thanks again for all of your work on this accident. I appreciate what  
>> you are doing to help!

>>  
>> Blessings,

>>  
>> Tim  
>>  
>> Tim Vennell  
>>  
>> Operations Manager  
>>  
>> Gem Air-Salmon, ID

>>  
>> [REDACTED]  
>> [REDACTED]  
>>  
>> [1] [2] [3] [4]

>>  
>> From: Lawrence David <david.lawrence@ntsb.gov>  
>> Sent: Wednesday, April 27, 2022 10:23 AM  
>> To: [REDACTED]  
>> [REDACTED]

>> [REDACTED]>  
>> Subject: FW: OPS Investigation Support Info and Req List (WPR22FA151)  
>> Importance: High  
>> Sensitivity: Confidential  
>>  
>> Tim,  
>>  
>> I'm following up on the status of this request for information.  
>>  
>> Regards,  
>>  
>> Captain David A. Lawrence  
>>  
>> National Resource Specialist  
>>  
>> (Air Carrier Operations)  
>>  
>> Senior Aviation Accident Investigator  
>>  
>> National Transportation Safety Board  
>>  
>> 490 L'Enfant Plaza East, SW  
>>  
>> Washington, DC 20594  
>>  
>> [REDACTED]  
>> [REDACTED]  
>>  
>> From: Lawrence David  
>> Sent: Friday, April 15, 2022 10:46 AM  
>> To: [REDACTED]  
>> Subject: OPS Investigation Support Info and Req List (WPR22FA151)  
>> Importance: High  
>> Sensitivity: Confidential  
>>  
>> Tim,  
>>  
>> Thanks for sending the previous information, and my sincere  
>> condolences for your loss. As I indicated to Daniel, I will be  
>> assisting Fabian Salazar (IIC) with the operations portion of this  
>> investigation. I've already begun requesting FAA data and background  
>> information, but also need to obtain some routine information from Gem  
>> Air. Attached is a "checklist" of information and documentation I  
>> need initially. I've pre-filled several spaces with information  
>> already known on the first two pages, so please fill in the remainder  
>> items and just return to me.  
>>  
>> The last 3 pages are the documentation I need (electronic format) to  
>> get started. Please send electronic copies of the items I've  
>> indicated with an "X" directly to me at my email address. If the size  
>> of the attachments is limiting in an email, just let me know and I'll  
>> provide you access to our NTSB Kiteworks secure server that allows  
>> greater access.  
>>

>> I know this is a difficult time for everyone at Gem Air, and my main  
>> goal is to work to determine what happened so others will not have to  
>> go through the same thing.

>>

>> Feel free to contact me anytime if you have any questions.

>>

>> Regards,

>>

>> David

>>

>> Captain David A. Lawrence

>>

>> National Resource Specialist

>>

>> (Air Carrier Operations)

>>

>> Senior Aviation Accident Investigator

>>

>> National Transportation Safety Board

>>

>> 490 L'Enfant Plaza East, SW

>>

>> Washington, DC 20594

>>

>>

>> [REDACTED]

>>

>> CONFIDENTIALITY NOTICE - THIS E-MAIL TRANSMISSION MAY CONTAIN  
>> INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, PROPRIETARY, SUBJECT TO  
>> COPYRIGHT, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT IS  
>> FOR THE USE OF INTENDED RECIPIENTS ONLY. If you are not an intended  
>> recipient of this message, please notify the original sender  
>> immediately by forwarding what you received and then delete all copies  
>> of the correspondence and attachments from your computer system. Any  
>> use, distribution, or disclosure of this message by unintended  
>> recipients is not authorized and may be unlawful.

>>

>> CONFIDENTIALITY NOTICE - THIS E-MAIL TRANSMISSION MAY CONTAIN  
>> INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, PROPRIETARY, SUBJECT TO  
>> COPYRIGHT, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT IS  
>> FOR THE USE OF INTENDED RECIPIENTS ONLY. If you are not an intended  
>> recipient of this message, please notify the original sender  
>> immediately by forwarding what you received and then delete all copies  
>> of the correspondence and attachments from your computer system. Any  
>> use, distribution, or disclosure of this message by unintended  
>> recipients is not authorized and may be unlawful.

>>

>> CONFIDENTIALITY NOTICE - THIS E-MAIL TRANSMISSION MAY CONTAIN  
>> INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, PROPRIETARY, SUBJECT TO  
>> COPYRIGHT, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IT IS  
>> FOR THE USE OF INTENDED RECIPIENTS ONLY. If you are not an intended  
>> recipient of this message, please notify the original sender  
>> immediately by forwarding what you received and then delete all copies  
>> of the correspondence and attachments from your computer system. Any

>> use, distribution, or disclosure of this message by unintended  
>> recipients is not authorized and may be unlawful.

>>

>> Links|



Source: Gem Air LLC

Burley Airport Findings as of 4/13/2022:

#### RNAV 20 Approach

- 1) There are multiple (more than 10) obstacles that emit smoke/hazard i.e. "smoke stack" on the RWY 20 centerline within a ½ mile of the threshold.
- 2) The centerline smoke stacks on the RWY 20 approach and the RWY 02 departure are **not mentioned or listed anywhere** on approach plates, departure procedures or the facility directory for the airport. The obstacle shown on the RNAV 20 at 4,304' elevation is over a mile from the runway and is not the cluster of smoke stacks <1/2 mile from the runway.
- 3) No way to determine the distance that the centerline obstacle(s) are to/from the Final Approach Fix or the Runway threshold or how high they are or how high the steam/smoke rises from them.
- 4) The airport facility directory shows VASI's present on runway 20 **but none exist** (This was true through early 2022 but as of May 2022 VASIs have been removed from the directory).
- 5) Multiple lights **inoperative** at the BYI airport including **runway lights, all taxiway lights, and REILs**.
- 6) RNAV 20 approach lists a VDA (Vertical Descent Angle) of 3.75 degrees with a TCH (threshold crossing height) of 40'. The U.S. Terminal Procedures Publication Northwest (NW) Vol 1 of 1 24MAR2022-19May2022 page F-1 states that **a VDA is provided to "...assist in preventing controlled flight into terrain."** An aircraft following the BYI RNAV 20 VDA will bring it to within less than 85' of the stacks, or directly into rising smoke from them, on the centerline of the approach. **The FAA's VDA fails to protect aircraft but actually guides aircraft toward the obstacles and increases the likeliness of a collision.**
- 7) If an aircraft remained at the MDA until passing over the stack cluster and the emitted steam, a category B/C aircraft with 120kt approach speed would have to descend at 1650' per minute to meet the threshold crossing height of 40' listed on the approach plate. This is at least double what would be considered a stabilized and safe descent rate for landing.

#### RWY 2 Obstacle Departure

- 1) The smoke stacks ½ mile from the airport on the runway 02 departure centerline are **NOT** mentioned in the departure procedure.
- 2) The listed required minimum climb gradient for the RWY 2 obstacle departure is 200' per NM. An aircraft departing RWY 2 and climbing at the FAA prescribed minimum 200' per NM **would clear the stacks by only 11'.**
- 3) Many obstacles are listed for a RWY 2 departure, **however the smoke stacks on the RWY 02 departure centerline ½ mile from the airport are NOT listed.**

Source: Gem Air LLC

### Other Important Notes

No comment or notes or warnings about BYI being an **exceedingly dangerous airport**: In a year 2017 Part 77 aeronautic study (2016-ANM-1617-OE), the FAA identified numerous hazards. The FAA Obstruction Evaluation Group (OEG) completed a study and identified seven (7) listed structures that "exceed" maximum FAA height value standards as defined by federal regulations part 77. All structures in question are located within a few feet of the extended lateral centerline of the RWY 20 approach. The FAA document states,

*"It is determined that the proposed structures would have a substantial adverse effect on the safe and efficient use of navigable airspace by aircraft at the current airport location."* and that the obstacles penetrate "...the 20:1 obstruction clearance slope to the only straight in approach procedure" (2016-ANM-1617-OE Pg. 6-7).

The FAA document also revealed details of numerous other FAA errors, KBYI exceedances, and violations that are grossly outside of The FAA's own published safety standards. The FAA recommended increased displaced thresholds and shorted/published declared runway distances, but none of these recommendations occurred.

- This news wasn't shared with the aviation community; the smoke stack obstacles weren't noted or depicted on any FAA publications (approach/departure procedures, facility directory or any other chart).
- The RNAV 20 Approach, which was designed/published before the 2017 FAA study documenting these hazards, wasn't amended to maintain safety standards. The only change to the approach was "NA at night". With the construction of the stacks, the RNAV 20 became a hazardous approach. The approach needed notes and depictions of the new hazards, needed redesign/higher MDA and weather minimums to take into account the new obstacles, or it should have been deleted.
- The Gem State Processing plant with the RWY 20 centerline smoke stacks leases its ground from the City of Burley.
- The Burley Airport is owned and operated by the city of Burley.
- As the owner and manager of the airport and also the land that the processing plant with the smoke stacks sits on, the City of Burley was in an clear position of authority to prevent the loss of safety at its airport **and notify the public and aviation community**, but it did neither.
- **The FAA and the City of Burley knew that the airport didn't meet safety standards but they have never informed pilots of this and CONTINUE to support/offer dangerous IFR approaches and departures for the airport even after a fatal accident caused by these failures?!?!**
- The VOR Approach into KBYI is approved for a Circle to Land **all Runways** in Category A, B, C and D Aircraft. How is that justified? When was it demonstrated? **Examples of Category C Aircraft: Boeing 737 Original, MD-80, Boeing 707. Examples of Category D Aircraft : DC-10, Boeing 747, Boeing 787, Boeing 747-400.**