

Here is the synopsis of the helicopter aerial delivery issue that occurred inside YNP during IBMP operations the week of 5/25/09. This was developed with input from park aviation staff.

1. **Cooperator Status** – Per the RM section below, the DOL aviation operations within park jurisdiction fall under the cooperator status. In general, cooperators agree to abide by park aviation program guidelines and policies as they pertain to mission activity. In this case, there is an even stronger tie to park aviation standards/policies due the sensitivity of helicopter use in bison operations and the greater nexus to safety secondary to specialized or higher risk flight activities (sustained low level/slow speed flight, animal hazing, etc).

RM 60 Chpt. 13.2 COOPERATOR WITH AFFILIATED AIRCRAFT

13.2 Research Work Orders/Cooperative Agreements/Support Services Contracts. Research Work Orders/Cooperative Agreements/Support Services Contracts which involve the use of flight services must contain language that persons onboard aircraft under operational control of NPS are subject to DOI policies, and this Reference Manual unless alternatives are addressed in an appropriate agreement.

2. **Aerial Delivery** – Technically the incident is unauthorized aerial delivery within National Park jurisdiction, and as such is a violation of 36 CFR:

§ 2.17 (a) (3) Aircraft and air delivery.

Delivering or retrieving a person or object by parachute, helicopter, or other airborne means, except in emergencies involving public safety or serious property loss, or pursuant to the terms and conditions of a permit.

3. **USDA APHIS Funding** – If the helicopter and/or pilot operating the helicopter during this time period were paid in part or solely with funds provided by USDA-APHIS through the cooperative agreement between the state and USDA-APHIS, all federal regulations regarding aircraft operations are required.

4. **State of MT Aviation Policy** - The use of the helicopter in this instance of ops can be a significant liability for the state. Recently, in order to allow federal employees to ride in state helicopters, the state consented to having pilots and aircraft inspected and carded by the federal Aviation Mgmt Directorate (AMD formally known as OAS). This move also required the state to adopt the Interagency Helicopter Operations Guide (IHOG) as (at a minimum) a guideline for rotor ops. This means that actions such as this incident could result in a reportable incident SAFECOM at a minimum.