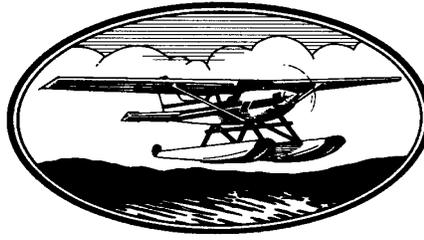


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April 19, 2004

Docket Management System
US Department of Transportation,
Room Plaza 401
400 Seventh Street, SW
Washington DC 20590-0001

Re: Docket Number FAA-1998-4521 National Air Tour Safety Standards

Dear Sir or Madam:

San Francisco Seaplane Tours, Inc. has been operating Part 91 sightseeing flights and offering instruction for 11 years on San Francisco Bay. Prior to that, Commodore Seaplanes, which we purchased in 1993, had operated in the same location since 1947. At one time we were one of the largest flight schools in the nation. Over the years we have flown various aircraft from this location including Cessna 172's, Cessna 180, Cessna 185, and DeHavilland Beavers, Twin Bees, Lakes, and Piaggio Royal Gulls.

We currently own/operate two DeHavilland Beavers, a Cessna 180, and recently took delivery of a DeHavilland Beaver on amphibious floats.

Our normal route, which departs from either of two locations (Pier 39 in San Francisco, or Sausalito) take us over and around some of the most spectacular scenery in the world.

WE HAVE A PERFECT SAFETY RECORD.

We have read with interest some of the suggestions raised in the NPRM and find that in each recommendation made, it is our opinion that safety will not be increased and in one case which we will discuss later in the letter, actually places our operation at greater risk.

In recurrent training each year we are reminded that a pilots' judgment is one of the most important factors in the completion of a safe flight. Pilots who, whether for financial benefit as evidenced by several of the helicopter accidents, or for adventure, as evidenced by the Waco performing low level aerobatics, make bad decisions and do so regardless of whether they are operating Part 91 or Part 135. These bad decisions negatively affect those of us who diligently and thoughtfully evaluate each and every part of our operation.

We offer the following comments pertaining to the October 22, 2003 Proposed Rule and the September, 2002 Preliminary Regulatory Evaluation performed by the Office of Aviation Policy and Plans.

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OVERALL COMMENTS

It is our understanding that the NPRM was developed as a response to the NTSB recommendations proposing to make such flights safer by imposing minimum flight altitudes, stand off distances, operating limitations, and expensive new flight equipment. Nothing we could find had any discussion of seaplanes and the safety inherent in flying these type of aircraft over protected waters in VFR conditions.

Additionally, and aside from the underestimated costs associated with this NPRM, which we will address later in this letter, the most glaring oversight seems to be in the perception that setting these standards will improve safety as it pertains to our operation.

It is our experience that each geographic area presents different risks as well as operational considerations. Operating limitations in Hawaii or the Grand Canyon should not necessarily apply in San Francisco and visa versa.

While, since our inception, we have strived to provide our passengers a safe and scenic experience, internally, we routinely monitor and evaluate safety improvements. Sometimes difficult decisions often made at considerable expense have led us to our perfect safety record.

MANDATORY USE OF LIFE VESTS

Prior to each and every flight, each of our pilots give a formal safety briefing to each passenger which includes proper use of a life vest. During that briefing, passengers are instructed not to inflate their life vests inside the aircraft as they might have a difficult time exiting. In the unlikely event of an emergency water landing and/or possible subsequent inversion, passengers who were instructed to wear life vests, now placed in a panic situation, may inadvertently inflate their vests not only preventing themselves from exiting the aircraft but others as well.

A second consideration is the perception of safety as our passengers board the aircraft. If, as the NPRM suggests, passengers are forced to wear life vests, how many will opt out, especially after observing other Part 135 customers exiting the same aircraft with the same pilot over the same terrain not needing to wear the live vest.

The runway at our Sausalito location is tidal but varies only about four feet. The area in which we land is often only a few feet deep and is in the protected waters of Richardson Bay.

Again the FAA has failed to look at Seaplanes in this study. Again this is a geographically specific issue.

GEOGRAPHICAL CONSIDERATIONS

As we stated earlier, what operational guidelines work in other areas such as Hawaii and the Grand Canyon may not work on San Francisco Bay. The tour operators (and there are very

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few) who operate in this airspace, which is below Class B Airspace, all monitor the same frequency along with Coast Guard, California Highway Patrol, traffic and other various agencies. Efforts to treat operations in San Francisco Bay the same as those in Hawaii, the Grand Canyon, or for that matter anywhere else in the U.S. would be a mistake. In our view geographical considerations must be taken into account.

MINIMUM ALTITUDES

The city of San Francisco is approximately seven miles long and seven miles wide. Our route takes us over the northeast corner of The City and along the waterfront at an altitude of 1000-1,400 feet. This safe altitude keeps us 1000' above The City and allows a safe gliding distance to the water in the event of engine failure. In the summer, the heating of the Sacramento Valley creates various levels of fog over San Francisco. It can range from a light dusting over the ridges to the more common heavier morning fog ranging from 700-1500'. If we were held to the new rule, and not allowed a deviation, we would be forced to cancel all morning flights thus reducing our revenues by as much as 25%.

Again, we have been operating safely on San Francisco Bay for the last 11 years. One of our pilots has been flying on San Francisco Bay for this company for over 25 years. It does not seem logical that we would be forced to fly at different altitudes than charter or commuter flights again illustrating the need for a more geographical approach to the proposed NPRM rather than the suggestion of one size fits the whole United States.

REQUEST FOR PUBLIC MEETINGS

I would like to request that the FAA hold public meetings for all operators to voice their concerns on record and allow the FAA to hear first hand statements on how this NPRM will affect them and how they believe it will improve the safety as the FAA has suggested.

FURTHER ACTIVITY

It is our view that this NPRM will not accomplish its primary goal of improving safety. We believe that seaplanes should be taken into account and that geographical locations be considered. Furthermore, we believe the minimum altitudes and stand off distances not only will greatly affect our bottom line but again will not improve safety. The accident case history cited by the FAA does not warrant the proposal for sweeping regulatory changes throughout the entire U.S. It is our hope the FAA will take into consideration these comments and include seaplanes and geographical areas into account.

Sincerely,

Steven D. Price
President
San Francisco Seaplane Tours, Inc.