



Mark Gordon  
Governor

# WYOMING Aeronautics Commission

DEPARTMENT OF TRANSPORTATION

Sigsbee Duck, Chairman

(307) 777-4015



## MEETING MINUTES

### I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held via videoconference on April 19, 2022. Chairman Sigsbee Duck presided, calling the meeting to order at 1:30 p.m.

### II. PLEDGE OF ALLEGIANCE

Chairman Duck led the attendees in the Pledge of Allegiance.

### III. ROLL CALL

*The following commission members were present, constituting a quorum.*

Anja Bendel, Commissioner, District 1

Steve Maier, Commissioner, District 5

Jerry Blann, Commissioner, District 2

Randy Harrop, Commissioner, District At-large

Bruce McCormack, Vice Chairman, District 4

Commissioner Bill DeVore was absent.

*The following WYDOT staff and guests were present and participated in the business meeting.*

Brian Olsen, Aeronautics Administrator

Mike Kahler, Senior Assistant Attorney General

Phillip Hearn, Engineering & Construction  
Manager

John Waggener, President, Wyoming Aviation  
Hall of Fame Board

Cheryl Bean, Planning & Programming Manager

Kimberly Chapman, Commission Secretary

Sheri Taylor, Unmanned Aircraft Systems (UAS)  
Manager

*Susan Elliott assisted with virtual meeting management.*

### IV. ADJUSTMENTS TO AGENDA

There were no adjustments to the agenda.

### V. APPROVAL OF MINUTES

#### A. DRAFT MINUTES

It was moved by Commissioner Maier, seconded by Commissioner McCormack, and unanimously carried to approve the minutes from the March 15, 2022 business meeting.

### VI. UPDATES/DISCUSSIONS

#### A. CHAIRMAN'S UPDATE

Chairman Duck reported that he is looking forward to visiting northeast Wyoming for airport tours and the business meeting next month.

**B. DIRECTOR'S UPDATE**

Director Reiner was unable to attend the meeting, so Administrator Olsen gave a brief update in his stead.

Implementing IJA Programs

WYDOT is working closely with the governor's office to implement funding for programs from the Investing in Infrastructure and Jobs Act (IJA) – also known as the Bipartisan Infrastructure Law. Several departments across the agency are engaged in this effort.

Electric Vehicle Briefings

The director and several key staff traveled around the state last week to provide briefings on the state's electric vehicle/zero emission vehicle infrastructure plan to stakeholders and local leaders. The briefings were well attended and participants provided excellent feedback to the plan.

Compensation

Governor Gordon put forward a robust compensation package during the last legislative session and it was approved by the legislature. Wyoming Administration & Information is working with the Human Resources Division to implement the raises, which will take effect July 1, 2022.

**ADMINISTRATOR'S UPDATE**

Administrator Olsen presented the Administrator's Update.

Federal and National Updates

*Legislative Issues*

Mr. Olsen reported that the division continues to work on implementing and incorporating funds from the Bipartisan Infrastructure Law (BIL). Airports have submitted updates to their capital improvement plans to the division.

*Fiscal Year (FY) 2022 Federal Aviation Administration (FAA) Appropriations*

Funding for the traditional Airport Improvement Program (AIP) is fairly flat for FY2022. However, an additional \$555 million in supplemental discretionary AIP monies – of which \$280 million was set aside for earmarks. The remaining funds will be awarded to sustainability and resiliency projects. These funds will be allocated through the summer.

*Preventing PFAS Runoff at Airports Act*

Senator Lummis co-sponsored this bill through the U.S. Senate Committee on Commerce, Science, and Transportation. The bill increases the federal match on input testing equipment that airports can use to analyze the fire-fighting foam systems. The bill has moved to the Senate for consideration.

*Proposed FY2023 Federal Budget*

The Biden administration has released its proposed FY2023 budget and regarding aviation, it is similar to previous budgets. The budget does not contain any proposed supplemental discretionary

funding, as that was handled under BIL. Funding for the Essential Air Service (EAS) program would go up to about \$450 million per year.

#### *Mask Mandates*

A federal court in Florida struck down the federal mask mandate, so the Transportation Security Administration (TSA) will no longer be enforcing the use of masks on public transportation or in airports.

#### State Legislative Session

Mr. Olsen reported that the Wyoming Airports Coalition has submitted an interim topic to the Joint Transportation Committee for consideration. It concerns airport governance and funding. Mr. Olsen did not feel that potential legislation would impact the division; rather, it would create an airport authority that had the power to accept and receive grants.

The Joint Judiciary Committee will be reviewing drone trespass issues. Mr. Olsen and Ms. Taylor will monitor this topic closely.

#### Division Update

Mr. Olsen shared that interviews were conducted for the Air Service Development Program Manager position, and an offer is imminent.

#### Airport Update

Commercial flights at Laramie Regional Airport were cancelled last week as the automated weather observing system (AWOS) was down. It was repaired yesterday so flights should have resumed. Laramie's situation is indicative of a larger issue: redundancy and resiliency of weather reporting. Most of the AWOS or weather stations are owned by the FAA and maintained by the National Weather Service. When repairs are needed, parts are located across the country and the partnering agencies do not always share the same urgency about completing the repairs that the local airport has.

Another part of the problem is that while there is a program for individuals to become certified weather observers, the program has become too challenging for most people to pass. Mr. Olsen, along with Devon Brubaker, met with Wyoming congressional staffers to discuss these issues. Potential solutions included storing AWOS parts regionally and an open book test for the weather observer program.

### **C. AIR SERVICE DEVELOPMENT PROGRAM UPDATE**

Mr. Olsen presented the Air Service Development Program Update.

#### General Matters

##### *Air Service Updates*

Mr. Olsen has received several grant applications for the Air Service Enhancement Program from Jackson, Cheyenne, and Casper. Doug Blissit, with Mead and Hunt, will help Mr. Olsen

score those applications using the priority rating model. The applications should be ready for commission consideration at next month's meeting.

*Capacity Purchase Agreement (CPA) Renegotiations*

Mr. Olsen continues to work with SkyWest Airlines on renewing the CPA contract for the next three years. A final version of the contract has been sent to Mike Kahler, Senior Assistant Attorney General, for review. The airports are also reviewing the contract, and once these reviews are complete the contract will be sent to SkyWest.

*Meeting with United*

Mr. Olsen, Vice Chairman McCormack, and Doug Blissit, with Mead and Hunt, traveled to Chicago last month to meet with United Airlines. According to Mr. Olsen, the primary goal of the meeting was to strengthen Wyoming's relationship with United and felt that the goal was accomplished.

Another key takeaway from the meeting was the news that the pilot shortage will last longer than hoped. Pilot training is also an obstacle to getting more pilots in the air. Vice Chairman McCormack shared that he was struck by United's commitment to air service in Wyoming. United leadership identified three characteristics that make Wyoming a priority market: identity, history, and relationships.

*CPA Caps*

Mr. Olsen reported that he has been working with two Wyoming communities on the caps in the CPA contract. He reminded the commission that the yearly caps were calculated years ago when the initial CPA contract was put in place and those caps were based on certain levels of flights. At the time the caps were calculated, both Rock Springs and Gillette had a robust business environment and were experiencing strong business fares. Since the pandemic however, these two communities have been challenged to stay under the caps.

The four CPA communities were each granted approximately \$500,000 in CARES funds for 2021 and at least part of these monies for the two communities will be used to fund the amount that will exceed the original cap level. The caps will be increased in both communities for the new contract starting in July.

*Industry News*

Fuel prices were already increasing, but following Russia's invasion of Ukraine spot fuel prices jumped \$4 a gallon, which is almost double what airlines paid on average for jet fuel in 2021. Fuel is a pass-through cost in the CPA so that directly impacts the state's costs.

Mr. Olsen reported that average fares are increasing as demand surges and business fares have begun to rebound slightly. At the end of 2021, Wyoming air service had recovered, on average, better than any other state in the nation, largely due to traffic from Jackson. The closure of Jackson's runway will impact enplanements and second quarter numbers be will noticeable down. Overall for the second quarter, only Cody and Cheyenne are projected to have more departures than the same quarter in 2019. All other communities are down 30-40 percent from pre-pandemic

numbers. Total enplanements from the first quarter of 2022 were up five percent from 2019 number.

Commissioner Maier addressed the projected increase in costs and local match required for the new CPA contract. He shared that his community understands the reality of the situation and are grateful to be able to retain air service. He thanked Administrator Olsen and the team for all of their hard work in negotiating this new contract.

Commissioner Blann reported that the contractor, Knife River, is off to a good start on the runway reconstruction project in Jackson. There has been a delay in removing all of the old runway as Jackson has received a significant amount of snow in the past few days and the contractor did not want to get too much moisture into the subsurface grade. Additionally, the terminal projects are progressing well.

### Standard Reports

#### *Air Service Enhancement Program (ASEP) Budget Forecast Report*

Mr. Olsen reported no changes to the ASEP Budget Forecast Report, but he did note that he has been working on closing out old grants and recovering funds in preparation for anticipated applications.

#### *CPA Budget Forecast Report*

Mr. Olsen reported that the CPA Budget Forecast Report has been updated to reflect the addition of a credit of American Rescue Plan Act (ARPA) funding in the amount of \$8,832,058. The funding is a credit for estimated losses incurred by the CPA due to COVID-19 effects during calendar years 2022, 2023 and 2024.

#### *Percent of Grant Projects by City Report*

Mr. Olsen reported no changes to the Percent of Grant Projects by City Report.

## **D. ENGINEERING & CONSTRUCTION PROGRAM UPDATE**

Mr. Hearn presented the Engineering and Construction Program Update.

### General Matters

#### *Cheyenne Runway Reconstruction Update*

Mr. Hearn reported that construction began today on the runway intersection. The main runway will remain open while work continues on the intersection.

#### *Project Bids*

Mr. Hearn updated the commission on bids received during the current bidding season. Despite prior concerns, the bids received by the division have so far been reasonable and within the engineer's estimate. Two projects in Dubois and Kemmerer received no bids and will be rebid. Both airports are working with their consultants to reach out to contractors to determine any problems and attract bidders. There were also a few projects that received one bidder each, but those bids were favorable.

Standard Reports

*Change Orders Report*

Mr. Hearn reported no new change orders.

*Statewide Line Items Report*

Mr. Hearn reported two new line items for marketing and aviation encouragement grants.

*Bid Summary Report*

Mr. Hearn reported 12 new bid results, many for the Seal Coat and Mark project.

Following a question from Vice Chairman McCormack on low bidders, Mr. Hearn shared that some of the contractors bidding on the Seal Coat and Mark project may have appeared as the low bidder on certain projects but were not the low bidder for the overall project. The project is awarded as a package in order to maximize state funds.

**E. PLANNING & PROGRAMMING PROGRAM REPORT**

Ms. Bean presented the Planning and Programming Program Update

General Matters

*BIL Funding Update*

Ms. Bean reported that the division is working with the FAA to obtain funds for FY2022 and 2023. Staff have almost completed an expedited evaluation and allocation process, and about two-thirds of the projects have been entered in to the WACIP for April. The remainder will be entered in the May WACIP report for commission consideration.

*Kemmerer Lighting Project Update*

As reported last month, Kemmerer has requested to delay their lighting project to 2029 but they were meeting with resistance from both WYDOT and the FAA. The parties met a few weeks ago to discuss the issue and ultimately agreed to Kemmerer's request on the condition that if the condition of the lighting system deteriorates further, the airport will take immediate action to fix it.

Standard Reports

*Administrative Approvals Report*

Ms. Bean reported that there were no administrative approvals this period.

*Recovered State Funds Report*

Ms. Bean reported two project recoveries during this period totaling \$2,076.00. Recovered funds for this fiscal year total \$516,303.74.

**F. UNMANNED AIRCRAFT SYSTEMS (UAS) PROGRAM UPDATE**

Ms. Taylor presented the UAS Program Update.

General Matters

*AUVSI Expo*

Ms. Taylor reported that she and a few others from WYDOT will be attending the Association for Unmanned Vehicle Systems Expo in Orlando next week. It is one of the largest conferences/expos for UAV/UAS and Ms. Taylor has attended in years past. She is confident she will bring back an abundance of good information from the expo.

*UAS Training Sessions and Flight Training Course*

Ms. Taylor reported that WYDOT has taken delivery of five drones and she is working with Construction to get the drones set up and installed. The drones will be used during the construction season this summer.

Ms. Taylor also updated the commission on the status of a UAS demo. Initially, staff had discussed including a demo in the May meeting. After considering all of the logistics it was decided that it would be best to have the demo at a later date when the commission is in Cheyenne.

**VII. REGULAR BUSINESS**

**A. UPDATED WACIP SPONSOR COMMENTS**

Ms. Bean reported that staff recently found that sponsor comments submitted on projects which had no allocations were not included in the sponsor comments report last month. A report detailing these projects, sponsor comments, and staff response was included in the packet for commission review.

**B. FY22 WACIP BUDGET MODIFICATIONS**

Ms. Bean reported many modifications this month. Most of these are due to the incorporation of BIL funds. Modifications for this period equal a total decrease in state funds of \$318,252 and an increase in federal funds of \$11,043,623. The remaining state funds reserve is \$1,671,098.

Action: It was recommended by Ms. Bean, moved by Commissioner Blann, seconded by Commissioner Bendel, and unanimously carried to approve the FY22 WACIP Budget Modifications as presented.

**C. FY2023 WACIP BUDGET MODIFICATIONS**

Ms. Bean reported that there are many modifications this month in FY23, most of which are due to the incorporation of BIL funds. Modifications for this period equal a total decrease in state funds of \$188,474 and an increase in federal funds of \$6,527,108. The remaining state funds reserve is \$1,027,343.



Action: It was recommended by Ms. Bean, moved by Commissioner Harrop, seconded by Commissioner McCormack, and unanimously carried to approve the FY2023 WACIP Budget modifications, as presented.

## **VIII. NEW BUSINESS**

### **A. CONCURRENCE OF THE WYOMING AVIATION HALL OF FAME BOARD'S 2022 INDUCTEE SELECTION**

Mr. John Waggener, president of the Wyoming Aviation Hall of Fame Board, presented information on three nominees for this year's WAHF induction. He pointed out that there has never been a nominee from southwest Wyoming, and requested help from the commission in finding someone from that part of the state for a future nomination. Mr. Waggener also asked the commission to contemplate whether or not they would consider a nominee who was deceased in a plane crash. Chairman Duck felt that the May in-person meeting would be the appropriate time to have that discussion.

Action: It was recommended by Mr. Waggener, moved by Commissioner McCormack, seconded by Commissioner Harrop, and unanimously carried to approve John Cooksey as the 2022 inductee to the Wyoming Aviation Hall of Fame.

Administrator Olsen and Chairman Duck thanked Mr. Waggener and his board for their hard work and dedication to preserving Wyoming's aviation history.

## **IX. EXECUTIVE SESSION**

There was no need for an executive session.

## **X. ANNOUNCEMENTS/REMINDERS**

### Commission Activities

Ms. Chapman announced that the commission's next business meeting will be held May 17-19, 2022, in northeast Wyoming. The commission will tour airports in Hulett, Gillette, Buffalo, and Sheridan on May 17 and 18. The business meeting will be conducted in Sheridan on May 19.

Ms. Chapman reminded the commissioners of the Wyoming Board Member Training, which is scheduled from 8:30 a.m. to 4:30 p.m. on Friday, April 22, 2022. The training is in person with a virtual attendance option.

Ms. Chapman reported on several upcoming fly-ins this summer including: Lusk on June 4, Lander on July 2, Big Piney on July 16, and Green River Spaceport Days on August 19-20.

## **XI. ADJOURNMENT**

It was moved by Commissioner Harrop to adjourn. Chairman Duck adjourned the meeting at 2:46 p.m. on April 19, 2022.