



Mark Gordon
Governor

WYOMING Aeronautics Commission

DEPARTMENT OF TRANSPORTATION

Sigsbee Duck, Chairman

(307) 777-4015



K. Luke Reiner
Director

MEETING MINUTES

I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held at the Aeronautics Division Office in Cheyenne on February 22, 2023. Chairman Sigsbee Duck presided, calling the meeting to order at 8:31 a.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 Richmond, Commissioner, District 1

Steve Maier, Commissioner, District 5

Jerry Blann, Commissioner, District 2

Randy Harrop, Commissioner, District At-large

Bill DeVore, Commissioner, District 3

Luke Reiner, WYDOT Director, Ex Officio

Bruce McCormack, Vice Chairman, District 4

Commissioners Blann, Duck, Maier, and McCormack participated via Zoom.

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

Brian Olsen, Aeronautics Administrator

A.J. Schutzman, Aeronautics Senior Planner

Mariah Johnson, Air Service Development Manager

Kathleen Cook, Employer Support of the Guard and Reserve, volunteer

Phillip Hearn, Engineering & Construction Manager

Mike Kahler, Senior Assistant Attorney General

Cheryl Bean, Planning & Programming Manager

MacKenzie Sewell, Assistant Attorney General

Sheri Taylor, Unmanned Aircraft Systems (UAS) Manager

Kimberly Chapman, Commission Secretary

Andrew Klingenberg, District Project Engineer

Caitlin Casner assisted with virtual meeting management.

IV. AGENDA ADJUSTMENTS

There were no adjustments to the agenda.

V. APPROVAL OF MINUTES

It was moved by Commissioner Blann, seconded by Commissioner Maier, and unanimously carried to approve the minutes from the January 24, 2023, business meeting.

VI. UPDATES/DISCUSSIONS

CHAIRMAN'S UPDATE

Chairman Duck expressed his regret that he and Commissioners Blann, Maier, and McCormack were unable to travel to Cheyenne for the meeting. He looks forward to seeing everyone in May.

DIRECTOR'S UPDATE

Director Reiner presented the Director's Update.

Federal Updates

Build America, Buy America Act

The Biden administration remains committed to the "Buy America" preference and has increased requirements for construction projects. The list of preferred materials has expanded to include more construction materials and manufactured products. WYDOT let the first contract under these new provisions in January, but the department has not received any feedback from contractors.

Agency Accounting Discrepancies

The Federal Highway Administration (FHWA) has identified a \$3.1 billion discrepancy between the accounting systems used by the U.S. Department of Transportation and the FHWA. The discrepancy dates back to 2005 and could negatively impact federal formula funding provided to states. While the full effects of the discrepancy are unknown, Director Reiner estimates that Wyoming will potentially lose \$13.3 million in federal funding. He will continue to monitor the situation.

Patriot Award Presentation

Director Reiner invited Kathleen Cook, a volunteer with the Employer Support to the Guard and Reserve (ESGR), to present to the commission. Ms. Cook shared that ESGR has three primary functions: 1) to provide outreach to the military; 2) to provide outreach to the employer; and 3) to act as an ombudsman to service members, if needed. ESGR works to maintain good relationships between civilian employers and service members.

Ms. Cook presented Mr. Olsen with ESGR's Patriot Award in recognition of his support of A.J. Schutzman during his 18-month military training leave. Mr. Schutzman thanked Mr. Olsen, the division, and WYDOT for the flexibility and support he and his family continue to receive. He also presented Mr. Olsen with a military challenge coin as a token of his appreciation.

Director Reiner and Mr. Olsen each signed a Statement of Support, which is a non-binding proclamation expressing the division and department's support of the military and its service members. Director Reiner thanked Mr. Olsen and Ms. Bean for accommodating Mr. Schutzman's leave and confirmed WYDOT's commitment to supporting Guard and Reserve employees.

State Updates

2023 General Session

The 2023 General Session is ending, and Director Reiner shared that several successful bills will positively impact WYDOT. Senate Enrolled Act No. 48 will allow for payment of state employee moving expenses.

Two bills will improve benefits for Wyoming Highway Patrol (WHP) troopers. Senate Enrolled Act No. 22 amended and improved death benefits for the law enforcement retirement plan. House Enrolled Act No. 5 repeals the mandatory retirement age for troopers and allows rehiring of persons who have retired from WHP.

Senate Enrolled Act No. 13 will allow off-road recreational vehicles to operate in public road rights-of-way and on specified highways with proper insurance and safety equipment. Director Reiner shared that the significance of this legislation is the cooperation and collaboration between WYDOT, other agencies, and stakeholders, which lead to the creation of this bill.

Snowstorm

Director Reiner reported that the current storm has presented challenges to WYDOT operations statewide. Last night, poor conditions halted operations entirely at Rawlins and between Casper and Douglas. The safety of WYDOT maintainers is paramount, so the decision was made to pause operations until visibility improved.

WYDOT will issue a press release about the storm to inform the public that, despite how widespread and severe the effects of the storm, the department is working hard to clear and open the roads. Director Reiner informed the commission that a number of the Cheyenne-based WHP troopers have voluntarily relocated to more heavily-impacted areas to assist with emergency response and traffic management. He commended those troopers for their willingness to assist other areas.

National Electric Vehicle Infrastructure (NEVI) Plan

WYDOT will publish the request for proposals (RFP) for the first seven electric charging stations in the next 30 days. The final rules released by the FHWA were relatively unchanged from earlier versions. Rules requiring stations located every 50 miles and a certain number of chargers at each station will remain a challenge. Governor Gordon recently met with U.S. Transportation Secretary Pete Buttigieg to share Wyoming's concerns. Secretary Buttigieg may visit Wyoming to tour some of these locations in order to be understand the challenges the rules create.

Following a question from Commissioner Blann, Director Reiner shared that Tesla's plans to convert charging stations to universal use could potentially benefit Wyoming. NEVI funds could be used to make the conversions at the three stations in the state, if those stations so chose and apply through WYDOT's forthcoming RFP. Those stations are located in Sheridan, Wheatland, and Laramie. If the stations do convert to universal use, it would decrease the number of stations to be built from seven to four. Director Reiner shared that this would benefit Wyoming by allowing WYDOT to use the federal funds to build additional stations.

Agile Chariot Project

WYDOT is again partnering with the military for two C-130 landing exercises on Wyoming highways. The first event will take place on U.S. Route 287, north of Rawlins, in late April. The re-fueling exercise will consist of landings by a C-130 followed by two A-10 and one F-35 fighter aircraft. The three fighter aircraft will complete a "hot refuel" from the C-130 and rearm with simulation ammo, which the aircraft will use during a training exercise near Guernsey.

Two days later, a second event will take place on Wyoming Highway 789 (WYO 789) between Lander and Riverton. A C-130 carrying two MH-6 Little Bird helicopters will land on the highway and deploy the helicopters, which will then participate in a special operations exercise at a location to be determined in consultation with the Tribes. The helicopters will return to the C-130 and be reloaded onto the aircraft for takeoff.

Exercises such as these help the U.S. military test its capabilities, tactics, practices, and procedures. These exercises also demonstrate the military's readiness to effectively and efficiently respond in crisis and conflict situations to the nation's near peer competitors. The two events will be well-publicized and serve as a useful, strategic messaging tool.

Director Reiner shared that WYDOT is still working with the Air Force to finalize plans for both events. He will also work with Mr. Olsen and Ms. Chapman to ensure that the Aeronautics commissioners receive an invitation to both events.

Following a question from Commissioner DeVore, Director Reiner confirmed that the delineator posts and any highway signs that could prove to be an obstruction will have to be removed before the C-130 can land on the highway. WYDOT now uses ground-mounted delineator posts with permanent anchor and a pin lock that allows for easy removal/replacement. The director reported that these are the type used on U.S. 287, but he was unsure about the posts on WYO 789.

ADMINISTRATOR'S UPDATE

Administrator Olsen presented the Administrator's Update.

Federal Updates

Federal Aviation Administration (FAA) Reauthorization

Mr. Olsen reported that Congress is ready to address FAA reauthorization. The two committees responsible for reauthorization are the U.S. House Transportation and Infrastructure Committee and the U.S. Senate Committee on Commerce, Science, and Transportation. Committee rosters have been set, and both committees are accelerating their work on this issue. Both committees hope to have a draft bill by early summer. The chairman and ranking members of each committee are well versed in aviation issues and that understanding will be crucial as the bills are drafted. Mr. Olsen was pleased to report that Senator Lummis has been named to the Senate Commerce Committee.

A large part of Mr. Olsen's focus will be dedicated to reauthorization in the coming months. He will work with the Wyoming Airports Coalition and the National Association of State Aviation Officials (NASAO) on this issue.

FAA Administrator

President Biden nominated Phil Washington, the chief executive officer of the Denver International Airport, to serve as the next FAA Administrator. Mr. Washington's nomination has proven contentious, and Congress has yet to hold a confirmation hearing. Mr. Olsen will monitor the situation and update the commission as necessary.

State Legislative Updates

Mr. Olsen echoed Director Reiner's sentiments on the Phase II salary increases. He feels that it will be a useful tool in recruiting engineers, planners, and pilots.

Mr. Olsen updated the commission on aviation-related bills, which mostly died in committee or on early readings. House Bill 40, airport districts bill; Senate File 34, bill forbidding trespass by small, unmanned aerial systems; and House Bill 202, Wyoming commercial airline pilots' student loan repayment bill, all failed to make it through the legislative process.

Following a question from Vice-chairman McCormack, Mr. Olsen invited Devon Brubaker, airport director at Southwest Wyoming Regional Airport, to update the commission on House bill 40. Mr. Brubaker reported that the bill was assigned to the Minerals, Business, and Economic Development Committee, which is chaired by Representative Burkhart, but it was soon apparent that the bill would not find many supporters in the committee. The Wyoming Airports Coalition decided to withdraw the bill and use it as a catalyst to engage other transportation stakeholders in discussion on overall transportation funding during the interim.

Mr. Brubaker shared that he has commitments from several different organizations and entities to meet and discuss transportation issues. His long-term goal is to form a coalition of stakeholders that can support WYDOT and advocate for transportation issues.

The main obstacle for House Bill 40 was the taxing authority it would have granted to the districts. Proposals for new taxes will usually face opposition in Wyoming. Mr. Brubaker also feels that the coalition and other stakeholders need to better communicate aviation's important and vital role in Wyoming communities. Finally, he believes there is a need to provide more education on airport funding.

Division Staffing Update

Pilot Kory Fogg, who has worked for WYDOT for 15 years, is leaving to take a position in the private sector. Mr. Olsen thanked Mr. Fogg for his many years of service and wished him well on his future endeavors.

AIR SERVICE DEVELOPMENT PROGRAM UPDATE

Ms. Johnson presented the Air Service Development Program Update.

General Matters

January Traffic

Ms. Johnson reported that January load factors were down from the peak numbers in November and December, but several Wyoming markets performed well. Gillette had an 80 percent load factor at the end of January, and Rock Springs was over 83 percent. Sheridan and Riverton both had load factors over 70 percent for January.

Future Bookings

Ms. Johnson reported that, month-to-date, February load factors are strong with most markets reporting over 70 percent. Most Wyoming airports are almost 80 percent booked for the remainder of the month,

and Gillette and Cheyenne are over 86 percent booked. March bookings are trending well, and Ms. Johnson anticipates similar totals to February.

General Industry News

The major U.S. airlines recently announced fourth quarter and calendar year financial performance. Delta, American, and United airlines all reported a 10 percent operating margin for the quarter. Southwest Airlines finished the quarter with a negative 6 percent operating margin after operational issues caused the cancelation of 16,700 flights and an \$800 million loss. JetBlue and Alaska Airlines also reported modest gains. Allegiant Airlines was the only ultra-low-cost carrier to produce double digit operating margins at 15 percent. Frontier and Spirit Airlines reported five percent and negative 22 percent margins, respectively.

Delta and United Airlines had the strongest calendar year performance. American, Alaska, Southwest, and Allegiant airlines all reported small annual profits.

Most airlines reported on the earnings calls that travel demand is still high, so higher fares are anticipated for spring and summer.

Ms. Johnson shared that there are currently 2,400 aircraft on order for U.S. air carriers, with over 400 scheduled for delivery in 2023. One-third of the scheduled deliveries are for United Airlines, with 133 aircraft slated to enter their fleet this year. Most orders are for large, narrow-body aircraft with 160 to 220 seats.

Regional airlines face another challenging year amidst the continuing pilot shortage—major airlines are still aggressively hiring pilots from regional airlines—and a lack of new generation, fuel-efficient aircraft options. The challenges will trickle down to airports that depend on these carriers and smaller aircraft.

Standard Reports

Air Service Enhancement Program (ASEP) Budget Forecast Report

Ms. Johnson reported no changes to the ASEP Budget Forecast Report.

Capacity Purchase Agreement (CPA) Budget Forecast Report

Ms. Johnson reported that the CPA Budget Forecast Report was updated to include the January amounts for each airport.

Percent of Grant Projects by City Report

Ms. Johnson reported no changes to the Percent of Grant Projects by City Report.

Commissioner Maier requested a copy of Ms. Johnson's slides from the Air Service Update she provided at the workshop. Ms. Chapman will send the slides to the entire commission.

ENGINEERING AND CONSTRUCTION PROGRAM UPDATE

Mr. Hearn presented the Engineering and Construction Program Update.

General Matters

Interactive Data Exchange Application (IDEA) Update

Mr. Hearn reported that the IDEA website has been updated to include 2022 airport inspection data and is accessible from the Aeronautics Division website [using the Airport Pavement Management Program link on the menu located on the right-hand side of the page]. The IDEA website contains information on pavement condition for all Wyoming airports.

General Engineering and Construction Update

Mr. Hearn reported that the Engineering and Construction Program is focused on reviews and issuing bids. The annual seal coat and mark program is anticipated to open for bids in April.

Standard Reports

Change Orders Report

Mr. Hearn reported three new change orders this month.

Statewide Line Items Report

Mr. Hearn reported five new line items for NAVAID maintenance contracts and an aviation encouragement grant.

Bid Summary Report

Mr. Hearn reported two new bid results.

PLANNING AND PROGRAMMING PROGRAM REPORT

Ms. Bean presented the Planning and Programming Program Update.

General Matters

Staffing Update

Ms. Bean reported that Cheryl Porter will retire on May 2, 2023. The division will host a reception for Ms. Porter on April 27th and the commission is invited to attend. Vice Chairman McCormack mentioned Ms. Porter's willingness to help users navigate the BlackCat Aviation Data Management System.

Committee Service

Ms. Bean informed the commission of the division's participation in NASAO's Channeling Committee. Along with 15 other states, division staff discuss and share information to assist with successful implementation of state channeling programs, provide feedback to the FAA, and brainstorm potential solutions to problems. Ms. Bean feels that although this committee is new, it will generate great ideas and approaches that will directly benefit Wyoming.

Standard Reports

Administrative Approvals Report

Ms. Bean reported no administrative approvals for this period.

Recovered State Funds Report

Ms. Bean reported that a total of \$6,857 was recovered from six projects in January.

UNMANNED AIRCRAFT SYSTEMS PROGRAM UPDATE

Ms. Taylor presented the Unmanned Aircraft Systems (UAS) Program Update.

General Matters

UAS Update

Ms. Taylor and Mr. Klingenberg presented an update on recent use cases of UAS in field operations. Ms. Taylor began the presentation by providing a general update on recent and upcoming activities. As previously reported, WYDOT has applied for a Certificate of Authorization from the FAA. The application has been submitted, but the process to obtain the certificate may take several months. Once the certificate is obtained, WYDOT may then apply for a Tactical Beyond Visual Line of Sight waiver. The waiver will allow WHP drone pilots greater range of surveillance during emergency situations.

As previously reported, Ms. Taylor will continue to serve on the Transportation Research Board's (TRB) UAS Flight Proficiency Certification Pilot Program Committee. The committee will spend over a year developing best practices for state training programs.

Ms. Taylor reported that the WYDOT Standard Operating Procedure (SOP) revision is in its final stages. The SOP will be made available to the public once revisions are complete. The team will then update the Safety Management Systems Manual.

Ms. Taylor is also developing a WYDOT Pilot Training Manual. She will incorporate ideas gained from the TRB committee into the manual and expand upon existing WYDOT practices and procedures. Ms. Taylor reported that there is a new format for the Part 107 training. WYDOT previously offered a day-long workshop with hands-on training to employees seeking to obtain a Part 107 license, but this was expensive and not all workshop participants followed through on testing and obtaining the license. Now, employees wishing to take the Part 107 exam will be given access to Part 107 test preparation manuals for self-guided study. Employees will be encouraged to take one to two free, online practice tests in order to find areas where knowledge is lacking. Ms. Taylor will then schedule a two- to three-hour training session with the employee, via videoconference, to provide instruction tailored to their needs.

Ms. Taylor reported that there are currently 18 drones in use at WYDOT and 25 certified Part 107 pilots. Five hundred and fifty-three flights were flown in 2022, but Ms. Taylor expects that number to double in 2023.

Mr. Klingenberg then presented information on current use cases of UAS in WYDOT operations. In May 2022, drones were used to conduct a topographic survey of the Red Roof slide near Hoback Junction. The flights allowed WYDOT's Photogrammetry and Surveys section to generate orthophotos and terrain models to better study the slide.

The WHP routinely uses drones to complete crash reconstructions. This allows the troopers to map an incident scene more efficiently than traditional processes and open roads more quickly.

Drones are now used for routine WyoLink tower inspections. The use of drones means technicians are climbing the towers less often, thereby increasing employee safety, saving time, and improving efficiency. The 3D models generated from the drone footage provides technicians with incredibly detailed and unique views of the towers that they would be otherwise unable to obtain.

A drone was recently used to assess damage and assist with cleanup after a hazardous materials spill on Interstate 80 near Walcott Junction. The footage was also sent to the at-fault driver's insurance company as proof of the affected area.

Public Affairs has incorporated drone footage into media releases. It gives the viewing public a different perspective of WYDOT operations.

When the Little Tongue River slide occurred last spring on U.S. Highway 14A, a drone pilot was able to send images and information to WYDOT's Geology Program in Cheyenne. This allowed the department to quickly conduct initial assessments and establish monitoring points before visiting the site, which greatly benefited recovery efforts.

WYDOT collaborated with the National Park Service last June, during the flood at Yellowstone National Park, to record and document roadway damage caused by flooding. A WYDOT drone pilot from District 5 flew all of the missions for the National Park Service.

Mr. Klingenberg shared images from a slide repair project along Interstate 90 near Sheridan. Drone mapping missions were flown to document earthwork quantities on the project after the contractor completed substantial repairs. Drone-conducted surveys greatly benefited WYDOT as they can be completed more quickly and provide higher resolution photos and images than traditional survey methods.

Another recent UAS use case is the tunnel portal inspections in the Wind River Canyon. WYDOT geologists wanted to catalogue all of the rock bolts on the tunnel portals, but traditional methods are difficult due to the canyon terrain, narrow roadway, and high volume of summer traffic. Traditional inspections typically involve closures of one or both lanes of traffic to either correctly position lift trucks or allow climbers to scale the rock wall.

Mr. Klingenberg shared 3D images collected during a recent mission. The entire north portal was mapped in 40 minutes with no impacts to the traveling public. The drone was able to capture high resolution images that had a 2 to 10 millimeter ground sample distance. This allows the geologists to magnify desired areas of the photos to analyze the condition of the rock bolts and rock face. The geologists will also be able to compare the position of the rock wall over time as more missions are flown each year. With the use of the drone, it will be easier to detect changes and identify potential problem areas.

Following a question from Mr. Olsen, Mr. Klingenberg estimated that using traditional methods to conduct a similar in Wind River Canyon could take days or weeks to complete and cost thousands more than a drone survey. It would also not produce the same type or quality of images.

Drones can also be used to complete many different types of structural inspections. The Skydio drones are equipped with a very advanced obstacle avoidance system, which allows pilots to fly the drones indoors and very close to structural elements without the worry of collisions or damage to other assets.

Drone pilots committed a significant amount of time last fall to completing material inventories for the maintenance arm of operations. WYDOT has maintenance inventory stored at over 120 locations statewide and the majority are indoors. Most of the inventory is salt/sand, but also includes different forms of aggregate at hot plant sites.

Annual inventories have primarily been conducted using GNSS and robotic scanning or total stations, but this requires a person to physically climb on the material pile to survey it. Drone surveys will keep employees safe by keeping them on the ground and off of unstable stockpiles.

Mr. Klingenberg shared some of the results from the 2022 material inventories. Drones were used to survey 20 sheds and 13 outdoor piles. Compared to traditional surveying methods, drone surveying saved crews 60 to 80 percent of field survey time. However, the post-processing time was estimated to take 75 percent longer. Mr. Klingenberg and others are investigating different tools to reduce that number.

Future uses for drones include Storm Water Pollution Prevention Plan site documentation, bridge inspections and damage assessments, roof inspections, overhead sign inspections, and construction progress monitoring. Vice-chairman McCormack suggested that drone footage could be useful in informing the traveling public on road conditions.

VII. REGULAR BUSINESS

FY 2023 WYOMING AVIATION CAPITAL IMPROVEMENT PROGRAM (WACIP) BUDGET MODIFICATIONS

Ms. Bean reported one modification this period totaling \$6,179 in state funds. These are funds to match a previously programmed federal project. The remaining balance in reserve is \$894,671 in state funds. The goal for the 2023 reserve is \$760,000.

Action: It was recommended by Ms. Bean, moved by Commissioner DeVore, seconded by Commissioner Blann, and unanimously carried to approve the FY 2023 WACIP budget modifications, as presented.

VIII. NEW BUSINESS

NATRONA COUNTY BOARD OF COUNTY COMMISSIONERS GRANT AMENDMENT REQUEST

Mr. Hearn reported that bids for the 2023 Crack Seal Project were opened at 9:00 a.m. on February 9, 2023. Three bids were received. Participating airports include: Lander, Riverton, Thermopolis, Worland, Greybull, Cody, Cowley, Powell, and Sheridan

Action: It was recommended by Mr. Hearn, moved by Commissioner Harrop, seconded by Commissioner Maier, and unanimously carried to approve award of the 2023 Crack Seal contract to the low bidder, National Sealant & Concrete, LLC, and its subsidiaries of Crosby, MN, having pre-qualified in accordance with the rules and regulations adopted by the Transportation Commission of Wyoming.

Following a question from Commissioner Harrop, Mr. Hearn shared that there are several variables that dictate how long crack sealing takes at each airports. Some of those variables include the age and amount of pavement as well as the number and severity of cracks. Mr. Brubaker shared that the project takes about two and a half weeks at the Southwest Wyoming Regional Airport, and that the contractor is able to phase the project so there are no impacts to commercial air service. Mr. Olsen estimated the project might take three to five days at a smaller airport.

PROPOSED CHANGE TO COMMISSION POLICY

Mr. Olsen reported that the Commission Policies document has been updated to reflect division staff recommendations, which were developed in consultation with the Attorney General's Office. The proposed changes to the officer election process are intended to improve efficiency and create greater consistency between the three WYDOT commissions.

Action: It was recommended by Mr. Olsen, moved by Commissioner Richmond, seconded by Commissioner Maier, and unanimously carried to approve the draft Commission Policies as presented.

IX. EXECUTIVE SESSION

There was no need for an executive session.

X. ANNOUNCEMENTS/REMINDERS

Recognition of Outgoing Commissioner

Chairman Duck recognized Commissioner Richmond's departure from the commission and thanked her for three years of dedicated service. Commissioner DeVore presented Commissioner Richmond with a small token of appreciation on behalf of the commission, the division, and WYDOT.

Commissioner Richmond thanked everyone and shared her appreciation for everyone's collegiality and friendship.

Commission Activities

Ms. Chapman announced that the commission's next business meeting will be March 14, 2023, via Zoom. The next in-person meeting will take place the week of May 15th in either Riverton or Lander. The trip will include a tour of local airports.

XI. ADJOURNMENT

It was moved by Commissioner DeVore to adjourn and passed unanimously. Chairman Duck adjourned the meeting at 10:27 p.m. on February 22, 2023.