



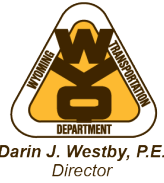
Mark Gordon  
Governor

# WYOMING Aeronautics Commission

DEPARTMENT OF TRANSPORTATION

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Cheyenne, Wyoming 82009-3340

Bruce McCormack, Chairman  
(307) 777-4015



Darin J. Westby, P.E.  
Director

## MEETING MINUTES

### I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held on Tuesday, October 17, 2023, via videoconference. Chairman Bruce McCormack presided, calling the meeting to order at 1:30 p.m.

### II. PLEDGE OF ALLEGIANCE

Chairman McCormack led the attendees in the Pledge of Allegiance.

### III. ROLL CALL

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

Bruce McCormack, Chairman, District 4	Sigsbee Duck, Commissioner, District At-large
Jerry Blann, Vice Chairman, District 2	Darin Westby, WYDOT Director, Ex-Officio
Dean McClain, Commissioner, District 1	

*Commissioners Bill DeVore, Steve Maier, and Randy Harrop were 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
Mariah Johnson, Air Service Development Manager	MacKenzie Sewell, Assistant Attorney General
Phillip Hearn, Engineering & Construction Manager	Kimberly Chapman, Commission Secretary
A.J. Schutzman, Planning & Programming Manager	

*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 McClain, seconded by Vice Chairman Blann, and unanimously carried to approve minutes from the September 7, 2023, business meeting and the September 29, 2023, education session.

### VI. UPDATES/DISCUSSIONS

#### A. CHAIRMAN'S UPDATE

Chairman McCormack presented the Chairman's Update.

Chairman McCormack noted a recent story in the Wall Street Journal reported that legacy airlines are enjoying additional revenue from an unusually high demand for first- and business-class seats, but ultra-low-cost carriers are experiencing a drop in demand from an economically stressed clientele. He speculated that this might influence the airlines that serve Wyoming to upgrade some seats to first- or business-class, especially as larger aircraft come into wider usage.

Chairman McCormack congratulated Director Westby on his recent induction to the Cheyenne Frontier Days Hall of Fame.

**B. DIRECTOR'S UPDATE**

Director Westby presented the Director's Update.

Vacancies

Director Westby reported that he remains focused on filling the 300-plus WYDOT vacancies. The department has initiated new market analyses for specific types of positions. The department is also considering a few strategies to attract new applicants including hiring incentives (bonuses).

Building Study

Director Westby reported that an upcoming building study will assess WYDOT's facilities in Cheyenne including all of the buildings at the headquarters campus, the Aeronautics Division, and the Transportation Management Center. The purpose of the study is to assess how efficiently the agency is using space and determine possible areas for improvement or reorganization.

The Transportation Commission previously set aside funds for the construction of a new headquarters facility, but this study will determine if a new building is necessary.

Director Westby met with all division heads and program managers to explain the purpose and the process of the study. He charged the managers with sharing information about the study with their employees to alleviate any potential stress or apprehension.

Joint Transportation, Highways, and Military Affairs Committee (JTC) Meeting

A JTC meeting will be held on November 2-3, 2023, in Cheyenne. Legislators will discuss potential transportation legislation including fuel tax administration, hazardous materials endorsements for a commercial driver's license, and an efficiency study of WYDOT.

Dry Piney Ribbon Cutting

Director Westby recently attending a ribbon-cutting event for the Dry Piney Wildlife Crossing project. The project included the construction of nine underpasses on US Highway 189, the installation of several miles of wildlife fencing, and road reconstruction to accommodate the underpasses. The project goal is to protect wildlife and the traveling public.

Winter Operations

Director Westby reported that the recent winter weather lead to the first road closures of the season.

Following a question from Chairman McCormack, Director Westby reported that WYDOT has over 50 vacancies for snowplow drivers/road maintainers. The greatest shortage of drivers is

along Interstate 80, particularly in southwest Wyoming. The department is considering new ways to fill the vacancies including hiring seasonal or temporary snowplow drivers.

**C. ADMINISTRATOR'S UPDATE**

Administrator Olsen presented the Administrator's Update.

Federal Updates

*Federal Aviation Administration (FAA) Reauthorization*

Administrator Olsen reported that there has been no progress on reauthorization. There is continuing disagreement in the Senate over the 1,500 hour pilot training rule and how much of that training can be completed via flight simulator.

*Fiscal Year (FY) 2024 Appropriations*

On September 30, 2023, Congress passed a continuing resolution (CR) to fund the federal government through November 17. The CR included an extension of the current FAA authorization, which allows the FAA to operate until December 31, 2023. Administrator Olsen believes that this should give Congress plenty of time to reach agreement on reauthorization.

*Fluorine-free Firefighting Foam*

The Department of Defense and the FAA worked for years to develop an approved alternative to the current aviation firefighting foam that contains per- and polyfluoroalkyl substances (PFAS). On September 12, the Department of Defense approved the first fluorine-free foam to be used in aviation firefighting.

Administrator Olsen stated that there is a lack of guidance from any of the federal partners on successfully transitioning to the new foam. Jackson Hole Airport has taken an early lead on the issue, figuring out how to dispose of existing foam and planning new equipment purchases. In general, questions remain on how to dispose of foam containing PFAS, how to clean equipment and trucks that have used the old foam, and what is the criteria or standard for cleanliness.

Following a question from Vice Chairman Blann, Administrator Olsen agreed that protocols on usage would most likely be based on production. Administrator Olsen reported that there is only one approved vendor of the new fluorine-free foam so he assumed it would take a while to fulfill orders from airports nationwide. However, Jackson Hole Airport is expecting to take delivery of their order soon.

*FAA Administrator*

Administrator Olsen updated the commission on the confirmation process for Michael Whitaker, President Biden's nominee to lead the FAA. Mr. Whitaker has 32 years of experience in the aviation industry as a pilot, airline executive, and a deputy administrator of the FAA. Mr. Whitaker received broad support during his nomination hearing before the U.S. Senate Committee on Commerce, Science, and Transportation on October 4. Administrator Olsen does not anticipate any problems in the confirmation process and hopes that Mr. Whitaker will be confirmed soon.

### Division and Department Updates

#### *National Association of State Aviation Officials (NASAO) Conference*

Administrator Olsen reported that he and Mr. Schutzman attended NASAO's annual conference in early September. He shared that this conference is a great opportunity for the states to discuss common issues and share best practices. The regional administrators of the FAA attend the conference as well, so it allows the states to provide feedback to the agency and discuss challenges.

In his conversations with other state aviation officials, Administrator Olsen found that other states also struggle with recruitment and retention. Many states are understaffed while attempting to handle more grants than in any previous time.

#### *Government Accountability Office (GAO) Research Project*

Administrator Olsen reported that the GAO is researching the challenges to air service in the last five years. Administrator Olsen and Ms. Johnson met with an interview team from the GAO on September 27 to provide an overview of Wyoming's air service enhancement programs and discuss successes and challenges in maintaining air service in Wyoming. The GAO team was very interested in our programs.

#### *Pilots*

Administrator Olsen reported that while he continues to try to recruit new pilots for Flight Operations, it remains a challenge. He recently learned that the training center our pilots attend, FlightSafety International, has even lost pilots to the airlines.

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

Ms. Johnson presented the Air Service Development Program Update.

#### General Matters

##### *September Traffic*

Ms. Johnson reported that almost all Wyoming airports experienced lower load factors in September, as is typical at this time of the year. However, Gillette and Sheridan reported load factors over 80 percent. Cheyenne finished the month with a 66 percent load factor following the reopening of the runway.

##### *Future Bookings*

Ms. Johnson reported that bookings for the remainder of October are good, but load factors will be down since this is one of the slower travel seasons. November and December bookings are stronger due to holiday travel.

##### *Industry Updates*

Ms. Johnson reported that Delta Airlines announced an 11 percent revenue growth and 36 percent increase in operating profit in the September earnings report. Domestic and transatlantic

demand continues to be strong for the airline. American and United Airlines should be reporting quarterly earnings within the week.

Total-industry Transportation Security Administration throughput continues to strengthen after a reported 99 percent recovery to 2019 levels in July. August throughput was 103 percent of 2019 levels, September was 104 percent, and October-to-date is at 103 percent.

Domestic seat capacity is nine percent higher than 2022, and two percent higher than 2019 levels. Total domestic flights are still down from 2019 levels as airlines switch to larger aircraft for service.

#### 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 costs for each airport for September.

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

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

##### *Monthly Load Factors Report*

Ms. Johnson reported that the Monthly Load Factors Report was updated to include the most recent load factor data available for each airport.

Following a question from Vice Chairman Blann on the lower load factor for Casper, Ms. Johnson reported that the airline began using a 76-seat aircraft for the Casper to Salt Lake City route. While the service is performing well and selling more seats, the larger capacity of the aircraft has negatively impacted the total load factor for Casper.

##### *CPA Quarterly Cost per Passenger Report*

Ms. Johnson reported that the CPA Quarterly Cost per Passenger Report was updated to reflect the state cost per passenger for the first quarter of FY2024.

#### **E. ENGINEERING AND CONSTRUCTION PROGRAM UPDATE**

Mr. Hearn presented the Engineering and Construction Program Update.

#### General Matters

##### *General Projects Update*

Mr. Hearn reported that most projects are either complete or paused until the next construction season. There are a few projects waiting on equipment—lights, generators, and the like—that will be installed later this month or in November.

The seal coat and mark project is nearing completion. The contractor was unable to complete the final markings in Cody and Sheridan, but worked with the airport sponsors to make the necessary arrangements to complete the work in early spring of 2024.

Following a question from Chairman McCormack, Mr. Hearn confirmed that some of the striping at the Cody airport did not have enough reflectivity to meet FAA specifications. The sections deemed insufficient will be repainted next spring.

#### Standard Reports

##### *Change Orders Report*

Mr. Hearn reported five new change orders.

##### *Statewide Line Items Report*

Mr. Hearn reported one new line item for FY 2023 and no new line items for FY 2024.

##### *Bid Summary Report*

Mr. Hearn reported one new bid result.

#### **F. PLANNING AND PROGRAMMING PROGRAM REPORT**

Mr. Schutzman presented the Planning and Programming Program Update.

#### General Matters

##### *Final FY 2023 Wyoming Aviation Capital Improvement Program (WACIP)*

Mr. Schutzman reported that the division executed 184 grants and amendments during FY 2023 totaling \$79,012,664. Of that total, \$68,994,409 were federal funds, and \$7,673,392 were state funds. The commission will receive an in-depth presentation on FY 2023 project spending during the December education session in Cheyenne.

##### *Status of WACIP Update*

Mr. Schutzman reported that the annual WACIP update process is in progress. The division and the FAA have completed CIP meetings with airport sponsors for 34 of the 40 airports. The application process is closed in the BlackCat Aviation Data Management System, and staff is reviewing submissions.

Division staff will meet with the FAA at the end of October and early November to coordinate funding award recommendations.

##### *Airport Rates and Charges Update*

Mr. Schutzman reported that the division is updating the Airport Rates and Charges guide, which was last updated in 2018. The division is surveying airports in Wyoming and nationwide to gather data on fees charged to tenants and users. The guide allows airports to compare rates and charges to other airports to set a sustainable and competitive fee structure, and aides in meeting FAA Grant Assurance 22 on economic non-discrimination.

Sheri Taylor is taking the lead on the project, which is completely executed by the division.

During the 2018 update, the survey was sent to neighboring states to collect information on their fees and airports and seven other states participated. Mr. Schutzman reported that, while attending the NASAO conference, he and Administrator Olsen discovered that states in other parts of the country wished to participate in the survey. To date, 18 states have expressed interest in the survey. Mr. Schutzman and Ms. Taylor have scheduled a teleconference to explain the process to all interested parties. Mr. Schutzman said that the survey will be sent next month and hopes to have the updated guide published in the spring.

#### Standard Reports

##### *Administrative Approvals Report*

Mr. Schutzman reported three administrative approvals this period, for an increase in state funds allocated towards projects of \$1,008 to facilitate the closeout of FY 2023. There were no administrative approvals for FY 2024.

##### *Recovered State Funds Report*

Mr. Schutzman reported that there were no recovered state funds for the final period of FY 2023 or the first month of FY 2024. The total recovered state funds for FY 2023 was \$216,197.

#### **G. UNMANNED AIRCRAFT SYSTEMS PROGRAM UPDATE**

Mr. Schutzman presented the Unmanned Aircraft Systems (UAS) Program Update.

#### General Matters

##### *Skydio Demonstration in Cheyenne*

Mr. Schutzman reported that Skydio conducted a drone demonstration in Cheyenne on October 3. The company demonstrated their latest model, the X10, which has an upgraded airframe. Some of the key improvements of the new model include flight capability in wind speeds up to 45 miles per hour, 40-minutes of flight time, a deployment time of 40 seconds, better camera optics with improved thermal imaging, and nighttime anti-collision capability.

About 40 people attended the demonstration from various local and state agencies, including attendees from Colorado. The demonstration included a video introducing the product and a test flight of the new drone model and previous models. There is excitement in the department about the new drone as its improved capabilities would be very useful to Wyoming Highway Patrol, Photogrammetry, and construction.

### **VII. REGULAR BUSINESS**

#### **A. FY 2023 YEAR-END CLOSEOUT**

Mr. Schutzman reported five modifications in the final period of FY 2023 for a reduction in state funds allocated towards projects of \$17,754 and \$453,932 in federal funds. The division also recovered \$160,595 from the crack seal line item, which was placed back in the state transportation fund for use in FY 2024.



The remaining balance of \$2,180,930 in state funds will be carried over into FY 2024.

**B. FY 2024 WACIP BUDGET MODIFICATIONS**

Mr. Schutzman reported two line item increases totaling \$180,000 and five modifications this period for an increase in state funds allocated towards projects of \$110,333 and a reduction in federal funds of \$523,785. The remaining state reserve is \$1,416,310, which includes the rollover from FY2023.

Action: It was recommended by Mr. Schutzman, moved by Vice Chairman Blann, seconded by Commissioner McClain, and unanimously carried to approve the FY 2024 WACIP budget modifications as presented.

**VIII. EXECUTIVE SESSION**

There was no need for an executive session.

**IX. ANNOUNCEMENTS/REMINDERS**

Commission Activities

Ms. Chapman announced that the commission's next business meeting will take place via videoconference at 1:30 p.m. on November 14, 2023. The division is working to finalize details for the December meeting, which will be held in Cheyenne.

The proposed 2024 Aeronautics Commission meeting schedule was presented to the commission. The commissioners present at the meeting agreed with the proposed schedule. Ms. Chapman will reach out to the rest of the commission to get their approval on the schedule.

**X. ADJOURNMENT**

It was moved by Vice Chairman Blann to adjourn and passed unanimously. Chairman McCormack adjourned the meeting at 2:18 p.m. on October 17, 2023.