



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 via videoconference on August 16, 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, District At-large

Bill DeVore, Commissioner, District 3

Luke Reiner, WYDOT Director, Ex-Officio

Bruce McCormack, Vice Chairman, District 4

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

Brian Olsen, Aeronautics Administrator

Sheri Taylor, Unmanned Aircraft Systems  
Manager

Mariah Johnson, Air Service Development  
Manager

Mike Kahler, Senior Assistant Attorney General

Phillip Hearn, Engineering & Construction  
Manager

Kimberly Chapman, Commission Secretary

Cheryl Bean, Planning & Programming Manager

*Susan Elliott assisted with virtual meeting management.*

### IV. ADJUSTMENTS TO AGENDA

Ms. Chapman informed the commission that Administrator Olsen would be providing the director's update as Director Reiner was unable to attend the meeting.

### V. APPROVAL OF MINUTES

It was moved by Commissioner Blann, seconded by Commissioner Harrop, and unanimously carried to approve the minutes from the July 19, 2022, business meeting.

### VI. UPDATES/DISCUSSIONS

#### A. CHAIRMAN'S UPDATE

Chairman Duck reminded the commission of the Jackson Hole Air Improvement Resource's Annual Airline Rendezvous on August 31 – September 2, 2022, in Jackson. He also shared his anticipation of the upcoming Wyoming Airports Coalition's Annual Conference on September 21-23, in Pinedale.

Chairman Duck shared his condolences with Devon Brubaker, director of the Southwest Wyoming Regional Airport, on the loss of his younger brother, Nate Brubaker. If any commissioners would like to send their condolences, Ms. Chapman will supply them with Mr. Brubaker's contact information.

Mr. Olsen informed the commissioners that the division will include the commission on any messages of condolences sent to Mr. Brubaker.

**B. DIRECTOR'S UPDATE**

Director Reiner was unable to attend. Administrator Olsen provided a brief update on his behalf.

Infrastructure Investment and Jobs Act (IIJA) Initiatives

WYDOT continues to partner with other organizations around the country to ask for a temporary exemption to the "buy American" requirement of IIJA. Supply chain issues have made this requirement all but impossible for the time being. Wyoming has also requested exemptions on the greenhouse gas initiative, as it is cumbersome for the state.

*National Electric Vehicle Infrastructure (NEVI) Plan*

The draft of the NEVI plan has been submitted. We are awaiting response from the United States Department of Transportation.

Hot Springs County Trip

Director Reiner will travel to Hot Springs County today to meet with local leaders and congressional staffers to discuss transportation issues.

Joint Transportation Committee (JTC) Meeting

The JTC will meet in Rock Springs on August 23 through 24, 2022. Some issues to be discussed include dispatcher compensation, general employee compensation and moving expenses, towing legislation, and others. If any commissioner would like to watch the livestreamed meeting, please contact Ms. Chapman for more information.

Construction Season

WYDOT has experienced a productive construction season so far this summer. Many projects, both highways and airports, are making great progress.

**C. ADMINISTRATOR'S UPDATE**

Administrator Olsen presented the Administrator's Update.

Federal and National Updates

*Fiscal Spending Bill*

The draft fiscal year (FY) 2023 Appropriations Bill was passed by the U.S. House Appropriations Committee on June 30, 2022. The Senate Appropriations Committee released the Chairman's markup on the bill on July 28, 2022. The markup shows that the bill compares favorably with bills passed in previous years. The Airport Improvement Program (AIP) funds remain steady at

\$3.35 billion and \$500 million for supplemental discretionary. Around \$116 million has been set aside for earmarks, leaving about \$400 million for supplemental discretionary grants. The Senate will not consider an appropriations bill before the fiscal year's end, so a continuing resolution will more than likely be passed.

#### *Inflation Reduction Act*

The U.S. Senate and House have passed the Inflation Reduction Act of 2022, and it will impact aviation through two programs. The Sustainable Aviation Fuel and Low Emissions Technology Grant Program will support efforts to develop sustainable aviation fuels (SAF). The second program will provide tax credits for refineries and businesses that produce, develop, and distribute SAFs.

The national fuel supply's resiliency and dependability could impact the availability of aviation fuels. The division will continue to monitor the situation to see if any Wyoming refineries pursue SAF.

#### State Updates

As mentioned earlier, the JTC will meet August 23 through 34, and the committee will also consider an aviation topic. The Wyoming Airports Coalition has requested that the committee address airport governance and funding. The airports are looking to streamline funding and granting processes. Mr. Olsen will update the commission on this next month.

#### Division News

The end of the biennium is approaching and division staff are busy finalizing projects, closing out grants, and submitting all necessary financial documentation to the Financial Services Division. No funds may be carried through to the next biennium, so it is critical that all state funds are granted before the end of the fiscal year.

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

Ms. Johnson presented the Air Service Development Program Update.

#### General Matters

##### *July Traffic*

Overall enplanements for July 2022 were down from July 2021, but Casper, Cheyenne, Jackson, and Sheridan all had the highest enplanements this year.

##### *Future Bookings*

Ms. Johnson reported that markets are projected to improve in the fall. August load factors were over 50 percent for all Wyoming airports except Laramie. Sheridan, Rock Springs, and Riverton had load factors over 70 percent (month-to-date).

##### *General Industry News*

Transportation Security Administration (TSA) through-put has flattened out to about 10 to 12 percent below pre-pandemic levels as airlines adjust flight schedules to alleviate pilot constraints

and improve reliability. Following record high fare levels during the peak summer months, demand is beginning to decrease with corresponding fare reductions. With more open borders and COVID-19 protocols subsiding, international travel is rebounding. European traffic is 75 percent recovered, Canadian traffic is 60 percent recovered, and even Asian traffic has reached 40 percent of pre-pandemic levels.

Jet fuel prices have fallen about 30 percent from their peak at the end of April, but they still remains 70 percent higher than August 2021.

The Capacity Purchase Agreement (CPA) markets continue to show strong load factors. Gillette, Rock Springs, and Riverton all approached 80 percent load factors. Sheridan was just below 90 percent load factor for the month. Despite the pilot-driven constraints that impact frequency and consistency in the CPA markets, Riverton and Sheridan continue to set records for passenger traffic. In July, Riverton had 86 percent more traffic than July 2019 numbers. Sheridan was 177 percent higher than pre-pandemic levels.

Following a question from Chairman Duck, Ms. Johnson reported that Gillette was down 18 percent from 2019 levels, and Rock Springs was down about 45 percent. While these numbers seem drastic, Administrator Olsen reminded the commission that the percentages are determined from several years of service, including years before Sheridan and Riverton had service with SkyWest Airlines. Following a question from Commissioner Blann, Administrator Olsen shared that comparative analysis uses numbers from as far back as 2003 because of an old database. Ms. Johnson aims to enter the information into the BlackCat Aviation Data Management System soon. Once this data entry is completed, reports will use only data from recent years. Chairman Duck shared that all of the memorandums of understanding (MOUs) with the four CPA communities have been signed.

#### Standard Reports

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

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

##### *CPA Budget Forecast Report*

Ms. Johnson reported that the CPA Budget Forecast Report has been updated to reflect the numbers for FY2023, FY2024, and FY2025 as defined in Amendment One of the CPA contract.

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

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

**E. ENGINEERING AND CONSTRUCTION PROGRAM UPDATE**

Mr. Hearn presented the Engineering and Construction Program Update.

General Matters

*Changes to Bid Process*

Mr. Hearn shared that there will be changes to how the division handles bid results. These changes will mirror the process adopted by the Transportation Commission. Any bids received with a variation greater than 20 percent between the low bid and the engineer's estimate will require consultants to submit a detailed explanation to account for the difference. This will give the division, and the entire department, a clearer picture of why recent bids have had a greater variation than normal.

Mr. Hearn is reporting on these changes at the Wyoming Capital Improvement Plan (WACIP) workshops that the division is currently offering.

Following a question from Commissioner DeVore, Mr. Hearn clarified that the department will require an explanation whether the bid is 20 percent above or below the engineer's estimate. He assured the commission that between division staff and consultants, the bids are being as thoroughly vetted as possible.

Standard Reports

*Change Orders Report*

Mr. Hearn reported no new change orders this month.

*Statewide Line Items Report*

Mr. Hearn reported five new line items.

*Bid Summary Report*

Mr. Hearn reported three new bid results.

**F. PLANNING AND PROGRAMMING PROGRAM REPORT**

Ms. Bean presented the Planning and Programming Program Update.

General Matters

*Annual Wyoming Airport Capital Improvement Program (WACIP) Cycle Update*

Ms. Bean reported that in-person WACIP workshops have been held in Gillette and Thermopolis. Upcoming workshops will be in Rock Spring on August 18 and Cheyenne on August 30. Commissioners are welcome to attend. One-on-one meetings with airports to discuss capital improvement plans are offered in conjunction with the workshops. These meetings provide the airports a chance to discuss plans with WYDOT, the Federal Aviation Administration (FAA), and consultants.

Airports were able to begin uploading WACIP updates to BlackCat on August 9<sup>th</sup>.

*Adoption of Commission Priority Point Change*

The change has been fully incorporated into BlackCat following the adoption of new commission priorities, and a new commission priority point field has been added to the evaluation process. This information is shared with attendees at the WACIP workshops.

*End-of-biennium Activities*

The end of the biennium is September 30, 2022. Ms. Bean and other division staff are working to close out old grants and issue all FY2022 grants in order to expend all state funds by the end of the fiscal year.

Standard Reports

*Administrative Approvals Report*

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

*Recovered State Funds Report*

Ms. Bean reported that state funds recovered from 15 projects totaled \$269,079.54. A total of \$1,046,018.38 in state funds has been recovered for the fiscal year-to-date.

**G. UNMANNED AIRCRAFT SYSTEMS PROGRAM UPDATE**

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

General Matters

*Fleet Management*

Ms. Taylor reported that the division has selected a new fleet management system, Airdata UAV. After a thorough analysis, Airdata was selected, because their platform was the best fit for WYDOT's needs given the depth and breadth of programs and projects in the department. The new system will cost less than the previous system, Skyward, as WYDOT will receive a 50 percent government discount for the first year of service. Ms. Taylor and others are working to implement the new system and are currently uploading previously collected data into the new system.

Of the WYDOT programs using drones, all reported successful missions throughout the summer and construction season. Several new units will soon be added to the fleet as Photogrammetry and the construction division have both purchased further Skydio drones.

**VII. REGULAR BUSINESS**

**A. FY2022 WACIP BUDGET MODIFICATIONS**

Ms. Bean reported 16 modifications leading to an increase in state funds of \$839,262 and a reduction of \$1,949,903 in federal funds. Remaining state funds total \$551,028.

The reserve in FY2022 has decreased while matches for IJA formula funds. Ms. Bean anticipates that funds will be granted in 2023, so the intent is to carry forward a reserve capable of matching those anticipated funds.

Action: It was recommended by Ms. Bean, moved by Commissioner DeVore, seconded by Commissioner Maier, and unanimously carried to approve the FY2022 WACIP budget modifications as presented.

**B. FY2023 WACIP BUDGET MODIFICATIONS**

Ms. Bean reported two modifications with a decrease in state funds of \$679,477 and an increase in federal funds of \$1,026,729. Remaining state funds total \$1,330,086.

Action: It was recommended by Ms. Bean, moved by Commissioner McCormack, seconded by Commissioner Blann, and unanimously carried to approve the FY2023 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 be held September 8, 2022, via videoconference. The purpose of this meeting is to approve final WACIP budget modifications before end-of-fiscal-year deadlines. The next in-person meeting will be on Friday, September 23, 2022, in Pinedale. The commission will attend the Wyoming Airports Coalition's Annual Conference from September 21<sup>st</sup> through the 23<sup>rd</sup> and will hold their business meeting at the end of the conference.

Ms. Chapman reported on several upcoming fly-ins this summer and fall including: Green River Spaceport Days on August 19 through 20, Gillette on August 20, Wheatland on August 27, Thermopolis on September 10, and Kemmerer and Pinedale on September 24.

Airline Rendezvous will be August 31 through September 2, 2022, in Jackson.

**X. ADJOURNMENT**

It was moved by Commissioner McCormack to adjourn. Chairman Duck adjourned the meeting at 2:23 p.m. on August 16, 2022.