



Mark Gordon
Governor

WYOMING Aeronautics Commission

DEPARTMENT OF TRANSPORTATION

Bruce McCormack, Chairman

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Darin J. Westby
Interim Director

MEETING MINUTES

I. CALL TO ORDER

A meeting of the Wyoming Department of Transportation (WYDOT) Aeronautics Commission was held on Tuesday, June 20, 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	Steve Maier, Commissioner, District 5
Jerry Blann, Vice Chairman, District 2	Sigsbee Duck, Commissioner, District At-large
Dean McClain, Commissioner, District 1	Randy Harrop, Commissioner, District At-large
Darin Westby, WYDOT Interim Director, Ex-Officio	

Commissioner Bill DeVore was absent.

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

Brian Olsen, Aeronautics Administrator	Sheri Taylor, Unmanned Aircraft Systems (UAS) Manager
Mariah Johnson, Air Service Development Manager	John Waggener, Wyoming Aviation Hall of Fame Board
Phillip Hearn, Engineering & Construction Manager	MacKenzie Sewell, Assistant Attorney General
Cheryl Bean, Planning & Programming Manager	Kimberly Chapman, Commission Secretary

Susan Elliott assisted with virtual meeting management.

IV. AGENDA ADJUSTMENTS

There were no adjustments to the agenda.

V. APPROVAL OF MINUTES

It was moved by Commissioner Harrop, seconded by Commissioner Maier, and unanimously carried to approve minutes from the May 18, 2023, business meeting and the May 16-17, 2023, education session. Commissioner Blann abstained.

VI. UPDATES/DISCUSSIONS

A. CHAIRMAN'S UPDATE

Chairman McCormack presented the Chairman's Update.

Chairman McCormack welcomed Vice Chairman Blann and shared his gratitude for the Vice Chairman's and Rebecca's recovery from an automobile accident last month. Vice Chairman Blann thanked everyone for their well wishes and support.

Chairman McCormack commented that on a recent trip through Denver International Airport, he noticed several new gates have been added to the United Airlines concourse. He felt that increased capacity at Denver could only benefit Wyoming since a large number of the state's flights route through Denver.

Chairman McCormack reminded commissioners that the Jackson Hole Air Improvement Resources will host its annual Airline Rendezvous in Jackson in early September. He requested the commissioners to confirm attendance with Ms. Chapman as soon as possible.

B. DIRECTOR'S UPDATE

Interim Director Westby presented the Director's Update.

Interim Director Westby reported that he is still spending as much time as possible visiting WYDOT offices and locations statewide to meet employees and see the roads and facilities. The Wyoming Highway Patrol is celebrating its 90th anniversary with community celebrations in several locations around the state including Casper, Rock Springs, and Thermopolis. Events have already been held in Cheyenne and Gillette. Interim Director Westby invited the commissioners to the celebrations.

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

The JTC met on May 25th and 26th in Douglas to discuss interim topics. Interim Director Westby shared that much of the conversation was centered on I-80 but also included discussion on differential speed limits, blow overs, closures, funding, commercial driver's licenses, electric and autonomous vehicles, and WYDOT practices and procedures. He felt the meeting generated good discussion.

WYDOT Budget

Interim Director Westby reported that WYDOT is working on the fiscal year (FY) 2024 budget. All of the programs, including the Aeronautics Division, are developing budget requests. Once complete, program budgets will be submitted to the executive team for review, comment, and integration into the department's budget.

The interim director is working to determine where there may be elasticity in the department's revenue streams, because inflation is negatively impacting the budget. He is concerned that a deficit of state funds may affect WYDOT's ability to compete for federal grants.

Strategic Planning

The executive team is organizing strategic planning sessions so that WYDOT leadership can identify and prioritize issues requiring departmental focus for the next five to 10 years.

Employee Compensation

Beginning July 1, 2023, eligible employees will receive a compensation adjustment. Letters detailing the raises will be sent to employees this week. Interim Director Westby hopes that the raises will assist the department with retention and recruitment efforts.

WYDOT Director Search

Interim Director Westby updated the commission on the search for a permanent agency director. The Transportation Commission is conducting a nationwide search and applications are due June 30, 2023. The commission plans to interview candidates on July 13th and 14th. The commission will then submit at least three names to Governor Gordon for his final approval. Interim Director Westby hopes that a new director will be named in early August.

C. ADMINISTRATOR'S UPDATE

Administrator Olsen presented the Administrator's Update.

Federal Updates

Federal Aviation Administration (FAA) Reauthorization

Administrator Olsen reported that discussions on the debt ceiling slowed progress on FAA reauthorization, but both congressional committees released draft reauthorization bills last week. Following committee mark up, the bill passed out of the U.S. House Committee on Transportation and Infrastructure with near unanimity.

The U.S. Senate Committee on Commerce, Science, and Transportation had also planned to mark up its version of the bill last week, but the process was delayed by controversy over proposed amendments to the 1500-hour training rule for pilots. There were also issues with the controversial Perimeter Rule for the Ronald Reagan Washington National Airport, which limits the number of non-stop flights into Reagan National beyond a 1,250 mile perimeter. Some would like to see additional exemptions added to allow more non-stop service to Reagan National. The committee chairman tabled the mark-up process until after the July 4th holiday.

Administrator Olsen shared that while the two versions of the bill are quite different, both bills would benefit Wyoming. Both versions increase the funding levels for the Airport Improvement Program (AIP) from \$3.35 billion to \$4 billion; however, Mr. Olsen was disappointed that both bills fail to address Non-Primary Entitlement (NPE), which provides formula funding for general aviation (GA) airports. Currently, NPE provides GA airports with \$150,000 of funding annually with the option to save funding up to four years. This is insufficient funding to complete major projects at most GA airports, so advocates were hoping for Congress to increase NPE funding levels. Administrator Olsen and his counterparts in other states will continue to advocate for NPE reform.

Administrator Olsen is working closely with the Wyoming Airports Coalition to monitor the reauthorization process and to provide feedback to Wyoming's congressional delegation on the two bills. Senators Lummis and Barrasso, as well as Representative Hageman, have been very

receptive, and Mr. Olsen believes they are doing all they can to create good legislation that will benefit Wyoming airports.

At Administrator Olsen's request, Ms. Chapman will forward two emails to the commission from the American Association of Airline Executives. The emails provide a detailed overview of the House and Senate bills and commissioners may call Administrator Olsen with any questions.

Division Update

Administrator Olsen reported that Ms. Bean will retire on August 1, 2023, and she will be greatly missed. The Planning and Programming Program manager position has been advertised, and he plans to interview applicants in the next few weeks. Mr. Olsen hopes to make a selection in time to allow the candidate to work with Ms. Bean during the transition.

Chief Pilot Tory Meisel has accepted another position and will leave Flight Operations soon. His departure leaves a second pilot vacancy, so Administrator Olsen will redouble his efforts to recruit and hire new pilots for these positions.

Following a question from Commissioner Maier, Administrator Olsen spoke on the effort to revise the 1500-hour training requirement for pilots. Proponents recommend allowing up to 100 to 250 hours in a flight simulator to count towards the 1500-hour total. Despite support shown for the measure during congressional committee hearings, Administrator Olsen does not believe that the requirement will be lowered or revised. He believes that the discussion will be dropped to avoid holding up the legislative process.

Chairman McCormack commented on the recent round of pay raises for state employees. He is grateful to the Governor and legislature for approving the raises, but he believes that more work is needed to make the government competitive with the private sector.

D. AIR SERVICE DEVELOPMENT PROGRAM UPDATE

Ms. Johnson presented the Air Service Development Program Update.

General Matters

May Traffic

Ms. Johnson reported that May load factors at Wyoming airports increased slightly over April. Gillette and Sheridan had load factors of 87 and 82 percent respectively. Both Rock Springs and Riverton received two additional flights per week, which led to load factors at or over 70 percent.

Future Bookings

Ms. Johnson reported that month-to-date load factors for June are strong, with Sheridan and Gillette over 80 percent. Booked load factors for the remainder of the month indicate that the high load factor trend will continue into July and August. Sheridan currently has a booked load factor of 62 percent for July. All signs indicate strong demand for summer travel in Wyoming markets.

General Industry News and Updates

Ms. Johnson reported that overall ticket sales are robust despite lagging corporate demand. Like many other industries, U.S. airlines are facing inflationary pressure across many cost categories including labor, fuel, maintenance, and rents. Currently, the U.S. commercial airlines have the largest recorded workforce since October 2001, with 114,000 jobs added since December 2020.

Nearly half of the states are experiencing more Transportation Security Administration throughput than in 2019. Wyoming has seen an 11 percent increase since May 2019.

U.S. airports are receiving 10 to 11 percent fewer scheduled flights compared to 2019, but carriers are offering more seats on aircraft that are 12 to 14 percent larger. While airlines are operating 371 more mainline aircraft than 2019, they are also operating 468 fewer regional aircraft. This greatly impacts Wyoming markets that almost entirely rely on regional aircraft.

Vice Chairman Blann thanked Ms. Johnson for the reports she compiled for the air service development workshop in May, the cost per Capacity Purchase Agreement (CPA) passenger report in particular. He questioned if a similar analysis could be conducted for the Air Service Enhancement Program (ASEP), so the commissioners could better understand the relative performance of all Wyoming's air service development programs. Ms. Johnson shared her willingness to provide more information, but noted the difficulty in completing a similar analysis for the ASEP. One significant impediment to effective comparisons is the variation in the timespans of the ASEP grants—some last a full year while others do not. The other difficulty is in obtaining the data since the airports make contract service with the airlines directly. The division typically does not receive the data until the end of the project or grant.

Ms. Johnson recommended a review and analysis of each project at its conclusion. This would allow for a more accurate comparison of projects, because the data would be complete and similar time spans could be analyzed (such as the last quarter or half a year) for each ASEP project.

Vice Chairman Blann suggested that future ASEP grantees be required to turn in monthly reports with up-to-date totals. Following a question from Chairman McCormack, Ms. Johnson said that she would like to do more research on data availability and the practicality of compiling it into reports in a timeframe that is helpful for the commission. She will bring her findings to the July meeting, present reporting options, and discuss what best meets the commission's needs.

Standard Reports

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 include the May amounts for each airport.

Percent of Grant Projects by City Report

Ms. Johnson reported that the Percent of Grant Projects by City Report has been updated to include the projects approved last month for Casper, Cheyenne, and Jackson.

Monthly Load Factors Report

Ms. Johnson reported that the Monthly Load Factors Report new and will be included in the commission packet. The report has been updated to include May load factors.

Chairman McCormack observed that data from Cody-Yellowstone Regional Airport was not included in the report and asked if it could be included in future reports. Ms. Johnson will contact Cody's airport manager and WYDOT-contracted airline data reporting agencies to collect data to include in future reports. She warned the commission that, depending on which entity provides it, there could be up to a three-month lag in the data. Following a question from Administrator Olsen, Vice Chairman Blann shared that he would like to see data on the Jackson Hole Airport routes that receive ASEP grants.

Chairman McCormack stated an interest in seeing data from any passenger and economic leakage studies conducted in the state when the division is able to access data.

E. ENGINEERING AND CONSTRUCTION PROGRAM UPDATE

Mr. Hearn presented the Engineering and Construction Program Update.

General Matters

Active Projects Update

Mr. Hearn reported that there are currently eight active construction projects with several more scheduled to begin in the next month. The crack seal project just finished, and the seal coat and mark project will begin after July 4th.

Cheyenne Runway Reconstruction

Mr. Hearn reported that the Cheyenne Regional Airport's runway reconstruction project is roughly two weeks behind schedule. While the contractor is working to make up lost time, the project was ahead of schedule before being delayed by weather, so Mr. Hearn still expects it to be completed on time.

Standard Reports

Change Orders Report

Mr. Hearn reported three new change orders.

Statewide Line Items Report

Mr. Hearn reported one new line item.

Bid Summary Report

Mr. Hearn reported six new bid results.

F. PLANNING AND PROGRAMMING PROGRAM REPORT

Ms. Bean presented the Planning and Programming Program Update.

General Matters

Wyoming Aviation Capital Improvement Program (WACIP) Annual Update Process

Ms. Bean reported that the division will open the system to airport sponsors to update capital improvement plans (CIP) in mid-July. The airports will have until September 1, 2023, to enter updated plans.

Starting at the end of the month, the division and representatives from the FAA will hold virtual meetings with individual airports and their consultants. These meetings will be held throughout the summer until the end of August.

Ms. Bean explained that the CIP meetings allow for an information exchange between the division, the FAA, and the airports. During these one-hour meetings, airport sponsors may present information on projects, especially new projects; provide explanations of any adjustments to their CIP; discuss airport issues; and receive input from the division and FAA. The team takes detailed notes of the conversation in the meetings, which are used as a reference during the evaluation phase.

Information on the WACIP process is provided through the BlackCat Aviation Data Management System and is universally accessible to Wyoming airports. Following a question from Chairman McCormack, Ms. Bean shared that BlackCat has made the WACIP process much easier for the division and the airports. The software has alleviated submission issues and allowed for greater transparency. While there have been improvements in communication, Ms. Bean shared that there are still some challenges that the team is attempting to solve.

Standard Reports

Administrative Approvals Report

Ms. Bean reported no administrative approvals for this period.

Recovered State Funds Report

Ms. Bean reported that there were no recovered state funds this period. The total recovered state funds for the year remains at \$216,197.

G. UNMANNED AIRCRAFT SYSTEMS PROGRAM UPDATE

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

General Matters

Laramie Pilot Training

Ms. Taylor reported on a recent, successful drone pilot training in Laramie. Four new pilots received hands-on training over two days on basic drone flying maneuvers.

Public Comment Open for Beyond Visual Line of Sight (BVLOS) and Drone Operations

In late May, the FAA announced that four requests to conduct BVLOS drone operations at or below 400 feet were submitted by UPS Flight Forward, uAvionix, Phoenix Air Unmanned, and [Zipline]. If approved, the FAA will use the data collected from operations to inform policies and rules on BVLOS. The public comment period closed last week, so Ms. Taylor will monitor the situation and update the commission as necessary.

General Industry Updates

Following a memo from WYDOT's previous director, the department continues to purchase drones made by companies in the U.S. or friendly foreign countries. Florida recently passed legislation banning the use of Chinese-manufactured drones across several sectors including government, law enforcement, and critical infrastructure. Ms. Taylor reported that more states will likely follow with similar legislation to ban the use of drones manufactured by adversarial countries.

Ms. Taylor is currently following a case before the Michigan Supreme Court on the use of drones for surveillance by law enforcement agencies without first obtaining a warrant. The Wyoming Highway Patrol currently uses drones for some types of surveillance, so this case is very relevant to WYDOT. Ms. Taylor will continue to monitor this case.

VII. REGULAR BUSINESS

A. FY 2023 WACIP BUDGET MODIFICATIONS

Ms. Bean reported 12 modifications this period for a decrease in state funds towards projects of \$180,973 and in federal funds of \$2,036,176. The remaining state reserve is \$1,821,043. The goal for the 2023 reserve is \$830,400.

As reported at the May meeting, the reserve is currently high because bids came in lower than expected for the seal coat and mark project. Another reason for the large reserve is that a number of projects were moved from 2023 to 2024. There are more projects that will be put out for bid soon, so Ms. Bean is comfortable with the higher reserve.

Ms. Bean reported that several airports are vying for end-of-year funds for projects, so the division will request to lower the reserve later this year. The team evaluates these projects using an Unfunded Needs Report that considers several items including the Priority Rating Model number, needed funding, and the project's "shovel ready" status.

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

B. FY 2024 WACIP BUDGET MODIFICATIONS

Ms. Bean reported three modifications this period for an increase in state funds towards projects of \$167,664 and in federal funds of \$4,191,599. The remaining state reserve is \$397,702. The current goal for the 2024 reserve is \$600,000 and can be covered by the 2023 reserve.

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

VIII. NEW BUSINESS

A. CONSIDERATION OF THE WYOMING AVIATION HALL OF FAME (WAHF) BOARD'S 2023 INDUCTEE

Mr. Waggener presented information on the three nominees for the WAHF, including the board's recommended inductee, Thomas Coleman. Before Mr. Coleman's passing in 2005, he ran Riverton's fixed-base operation and had a long career in aviation.

Mr. Waggener recognized Mark Horan with WYDOT Public Affairs and thanked him for his work to maintain the WAHF website.

Commissioner McClain thanked Mr. Waggener for his efforts to annually recognize notable Wyoming aviators. Chairman McCormack noted Mr. Waggener's dedication to the WAHF and thanked Commissioner McClain and Kent Nelson for the service on the WAHF board.

Action: It was recommended by Mr. Waggener, moved by Commissioner Maier, seconded by Commissioner Duck, and unanimously carried to approve Thomas Coleman as the 2023 inductee to the Wyoming Aviation Hall of Fame. Commissioner McClain recused himself because of his service on the WAHF board.

Chairman McCormack noted that the Yellowstone Regional Airport has a display for the local WAHF honorees. He encouraged Mr. Waggener and the WAHF board to see if other airports, museums, or public facilities could make a similar display for local honorees. Mr. Waggener informed the commission that two plaques are made for inductees—one is given to the inductee or their family and the other is kept in a WAHF display case. He appreciated the chairman's idea and promised to suggest it to the families of future inductees.

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 take place July 18 and 19, 2023, in Cheyenne. The commission will hold a business meeting on the afternoon of Tuesday the 18th,

and participate in a drone demonstration. The commission will visit the Wyoming National Guard Army Aviation Support Facility on Wednesday, July 19th.

Ms. Chapman reminded the commission that Airline Rendezvous will take place September 5th through the 7th in Jackson. Rendezvous events, including the Air Transportation Liaison Committee meeting, will be on Tuesday and Wednesday. The commission will hold its monthly business meeting on the morning of Thursday, September 7th. Commissioners need to confirm their attendance as soon as possible to ensure lodging.

Ms. Chapman reported on several activities happening at Wyoming airports this summer including fly-ins at Big Piney and Gillette on July 15th, Dubois on August 12th, the Powell Wings and Wheels event on August 18th and 19th, Green River Spaceport Days on August 25th and 26th, Evanston and Wheatland on August 26th, Riverton on September 9th, and Worland on September 30th. The Cheyenne Regional Airport will host the 5k Runway Run on August 26th.

XI. ADJOURNMENT

It was moved by Commissioner McClain to adjourn and passed unanimously. Chairman McCormack adjourned the meeting at 2:52 p.m. on June 20, 2023.