

# Oregon State Aviation Board

## Meeting Minutes

**July 19, 2012**

**Portland, Oregon**

Pursuant to notice made by press release to newspapers of general and local circulation throughout the state and mailed to persons on the mailing list of the Committee, a meeting of the Oregon State Aviation Board was held on July 19, 2012, at Portland International Airport's (PDX) Conference Center in the Multnomah conference room.

**Board Members Present:** Chair, Mark Gardiner; Vice Chair, Chris Corich; Board Members Jack Loacker, Larry Dalrymple, Paul Hudgens and Joe Smith.

**ODA Members Present:** Director, Mitch Swecker; Airports Manager, Matt Maass; Planning Manager, Heather Peck; Administrative Assistant, Roger Sponseller.

**Presenters and Guests in Attendance Included:** ODA Director; ODA Airports Manager; ODA Planning Manager; Paragliding Enthusiast, Brad Hill; Robert Howard, Troutdale Energy; CH2MHILL, John Frohning; Oregon Pilots Association (OPA), Mary Rosenblum & Dennis Smith.

The meeting started at 10:05 am

***ACTION ITEM – Approval of minutes from June, 2012 meeting.***

**Motion** to approve by: Joe Smith

**Motion** 2<sup>nd</sup> by: Larry Dalrymple

**Motion** passed unanimously

### **Public Comments**

**Jeff Lewis (handout):** Jeff Lewis, a concerned citizen regarding Waldo Lake, spoke about the recent letter from Governor Kitzhaber concerning Waldo Lake. Mr. Lewis remarked that the governor was clear in his advocating the closure of Waldo Lake to seaplane operations. Mr. Lewis also stated that a couple of months ago the Aviation Board made a temporary ruling allowing seaplane operation at the lake and urged them to make another temporary ruling reinstating the prohibition. Mr. Lewis felt that the Aviation Board needed to take more non-aviation interest into account when making a decision regarding the lake.

## Paragliding Presentation (handout):

**Brad Hill:** Mr. Hill, a representative of Discover Paragliding, presented to the Aviation Board his *proposal for rule change regarding the definition of aircraft in the state of Oregon (ORS-836.515)* and a *petition to set aside shoreline as a landing field (ORS-836.515)*.

### Rule Change:

**Proposed Definition Change:** ORS 836.005 (2) “Aircraft” means any contrivance used or designed for navigation of or flight in the air, but does not mean a one-person motorless glider that is launched from the earth’s surface by the operator’s power.

to

**Proposed Revised Definition:** ORS 836.005 (2) “Aircraft” means any contrivance used or designed for navigation of or flight in the air, excepting ultralight vehicles as defined by Federal Aviation Regulations Part 103.1

Hang-gliding and Para-gliding both began exclusively as single place vehicles, with foot launching as their primary means of getting airborne. Today, it is common practice in both sports to fly tandem, launch via a ground based tow vehicle or an ultralight tug for Hang-gliders. It is also common practice to attach a power plant of various types, using the guidelines of FAR Part 103, to get airborne and sustain flight.

The current definition of Aircraft, combined with ORS 836.510, effectively prohibits any of these activities in Hang-gliding and Para-gliding off a beach. Mr. Hill remarked that Oregon State Parks and the Ocean Shores Commission have repeatedly stated that they have no wish or interest in curtailing Hang-gliding/Para-gliding activities, but the conflict in the regulations does give them cause for concern.

The main issues concerning Oregon State Parks involve powered flight, or more specifically, landing a powered glider on the shore. Prior to the summer of 2011, powered flight was welcomed on the shores, but during that summer a series of incidents occurred that required the Parks Department to take action and restrict powered flight on the shores until a satisfactory solution could be developed.

### Petition for Two Landing Areas on the Ocean Shore (ORS 836.515):

Mr. Hill, as a representative of Discover Paragliding, stated that his company would also like to initiate a petition to set aside two stretches of shoreline for the purpose of launching, landing and training powered Para-gliders. There would be relatively minimal use, but they would very much like to restore some of the ease of flight that is afforded by the stable laminar air that is common only along the shoreline.

The proposed locations are:

- From the southern boundary of Camp Rilea to a point 1 mile north of the northern boundary of Camp Rilea.

- The beach area directly adjacent to and confined within the boundaries of the Sand Lake Recreation area.

Both of these areas have little to no resident population and are bordering an environment where the use of powered ultralight vehicles would not be an intrusive factor. Both areas also currently allow motor vehicles on the beach.

The large size of the requested area in the vicinity of Camp Rilea has to do with the varying nature of the use of the beach by the military reservation. While the preferred operations location would be within the confines of their boundaries, their use and frequent closure of various sections of beach would suggest that there be an area allocated that is large enough to work around their requirements.

The size of the designated area at Sand Lake would allow variation of the landing zone to suit the location of the daily users, without restricting access to any specific location.

ODA's Director, Mitch Swecker, remarked to the board that Parks and Rec. felt that there is a definite safety/ liability problem relating to the issue. Mr. Swecker felt that neither the board nor ODA had enough information at this time to make an informed decision either way on the issue. Mr. Swecker also stated that Parks & Rec. was interested in coordinating with ODA and making sure this activity could be done safely (risk assessment). It is in Oregon's statutes that ODA could hold public hearings to gather more information and input from the local communities, counties and Park & Rec. folks and maybe give another presentation next time when more information is available.

Joe Smith remarked that the deadline for submitting legislative proposals from various Oregon boards has passed for this legislative calendar year; the deadline for legislators to submit changes is still a couple of months away. Mr. Hill stated that he had been in contact with Sen. Betsy Johnson and that Sen. Johnson would be willing to lend her support to the issue.

The board discussed.

### **Troutdale Energy Presentation (handouts):**

**Robert Howard & John Frohning:** Mr. Robert Howard, a representative of the Troutdale Energy Center (TEC) and Mr. John Frohning of CH2MHILL, briefed the board on the Troutdale Energy Center's Cooling Tower Analysis. Mr. Howard began his presentation by giving the Aviation Board some background on the construction and placement of the facility. The energy center will consist of the following:

- 1 x 1 combined cycle natural gas fired combustion turbine.
- Two simple cycle natural gas fired combustion turbines.
- Support equipment.
  - Diesel firepump
  - Auxiliary boiler

- Current configuration for plume abated cooling.
  - 8 cell mechanical draft
  - 2 cell mechanical draft
- Previous configuration for non-abated cooling.
  - 7 cell mechanical draft
  - 2 cell mechanical draft

Mr. Howard explained that the Troutdale Energy Center will be comprised of state-of-the-art, highly efficient and clean, natural gas fueled power plants that meet PGE needs as detailed in the 2009 Integrated Resources Plan. The plants would produce the following:

- 200 Megawatt Simple Cycle Facility for renewable integration and peak load.
- 450 Megawatt Combined Cycle Facility for base load energy needs.

In addition, Mr. Howard described how the Port of Portland's Troutdale Reynolds Industrial Park is a very good location for a new power plant for the following reasons:

- The Brownfield project site would reuse and revitalize an industrially zoned former aluminum plant site.
- Flexible project design allows TEC to develop where others might not be able due to site specific challenges.
- Significant existing infrastructure reduces the extent of new construction and thereby the overall cost of the facility to PGE customers.
- Existing infrastructure includes the Williams gas pipeline, transmission infrastructure from PGE, BPA and PaciCorp, and reclaimed waste water from the City of Troutdale.

Siting a power plant in the Portland metro area also brings increases in power efficiency, reliability and quality.

- Existing residents and businesses benefit from an improved electric system.
- East Multnomah County will be more appealing to new electricity intensive businesses such as server farms and data centers.

The present proposal places the boundary of the energy facility 630 meters north of the threshold of Runway 25 at Troutdale Airport.

To determine how the facility's cooling towers would affect local meteorological conditions the CALPUFF Modeling System was used. CALPUFF is an advanced non-steady-state meteorological and air quality modeling system based on technology backed by U.S. Department of Energy's National Energy Technologies Lab (NETL).

CALPUFF Modeling System:

- 10 Cooling tower cells

- Plume flow
  - Plume temperature
  - Heat rate
  - Abated tower characteristics
- Model predicts cooling tower plume dimensions based on a given meteorological condition.
    - Relative humidity
    - Wind speed
    - Wind direction
    - Ambient temperature
    - Current weather condition

Using the CALPUFF model, and wind data collected from Troutdale Airport, it was determined that the wind at Troutdale Airport predominately blows from the east at an average of 5.7(m/s) to 8.8(m/s). The model also predicted a plume height of between 25ft. to 200ft. (10-Cell Mechanical draft) depending on cooling tower output and seasonal temperatures.

The board discussed.

### **OPA Pilot Briefing (handout):**

**Mary Rosenblum & Dennis Smith:** Mary Rosenblum and Dennis Smith of the Oregon Pilots Association (OPA) spoke to the board regarding their concerns over the Troutdale Energy Center. Ms. Rosenblum stated that the OPA would like to make their position clear that they applaud the effort that Troutdale Energy Center, LLC is putting into mitigating the fog issues that OPA has pointed-out to them. OPA’s concern is, as always, the continued safe operation of the Troutdale airport. The proposed energy plant produces two distinct plumes, a visible “fog” plume and a high-velocity thermal plume, which could interfere with safety and operations at Troutdale.

The Airman’s Information Manual (AIM) (Section 7.5.15) currently instructs pilots to avoid thermal plumes. *It does not currently define a safe distance or altitude for that avoidance.* Thermal plumes have been determined to be the cause of at least one crash by the National Traffic Safety Board (NTSB) and have been implicated in many others.

Pilots have been held legally accountable in court specifically for violating instructions in the AIM by the FAA and none of these cases have been overturned on appeal as of 2012. Therefore, pilots must avoid a thermal plume located with the Troutdale Airport airspace or face legal action if an accident ensues. Since the term “avoid” has not been clearly defined by the FAA, control tower personnel feel that they risk legal liability by directing pilots to fly over or near the plume [David Langford, TTD Tower Manager].

Ms. Rosenblum went on to say *that until the FAA defines “safe” avoidance distances, the stack plume is not “safe” at any particular distance or altitude* and pilots and controllers are legally liable for any accident that occurs in the airspace above or adjacent to the thermal plume. Because of this legal liability, it *compromises the use of the airspace*.

Currently, the FAA is reviewing the results of an extensive study conducted by Mitre Corporation on plume effects. According to Bob Bonnani, of FAA Obstructions and Standards in Washington, DC, the review will be completed later this year and the FAA will create standards for plume penetration of Part 77 airspace as well as standards for location of plumes relative to airport runways.

Ms. Rosenblum and Mr. Smith concluded their remarks by stating that it is the contention of the Oregon Pilots Association that the Aviation Board should instruct the Oregon Department of Aviation to send a letter to the Oregon Department of Energy opposing a final siting of the plant *only until these regulations are finalized*. An overflight restriction of even a few hundred feet or a lateral avoidance restriction of less than a mile could render the northern airspace at Troutdale Airport unusable. Once the FAA has ruled, the plant’s effect on the airport, or lack of an effect, can be evaluated clearly.

The board discussed.

### **Executive Session:**

At 12:20am the Aviation Board went into Executive Session. The board meeting resumed at 12:40pm.

### **Aviation Cluster – Next Steps:**

**Joe Smith:** Board member Joe Smith briefed the board on the Aviation Cluster. On the 11<sup>th</sup> of August Sen. Betsy Johnson, ODA and the Aviation Board are hosting an event (reception & dinner) at the Scappoose Airport in Senator Johnson’s hangar at 5:00pm to discuss the future of Oregon aviation and aerospace. Guest speaker will be retired four-star general Merrill (Tony) McPeak. At 2:30pm, on the other side of the Scappoose Airport, at the new building 50 belonging to Oregon Aero, there is going to be a gathering of folks to talk about forming a steering committee for the cluster.

### **Staff Update (handouts):**

**Mitch Swecker:** ODA’s Director, Mitch Swecker, briefed the board on future aviation calendar of events

## Calendar of Events:

### July –

- Wilsonville Chamber of Commerce meeting on the 24<sup>th</sup>.
- Positive Aurora Airport Management (PAAM) meeting on the 26<sup>th</sup>.
- Contract Tower Workshop in Washington DC on July 31<sup>st</sup>.

### August –

- SCIP Tri-State meeting in Seattle on the 2<sup>nd</sup>.
- Aviation Industry Cluster meeting in Scappoose on the 11<sup>th</sup>.
- Notice of Intent, to BAM on 13<sup>th</sup>.
- *ConnectOregon* IV OTC selection meeting on the 15<sup>th</sup>
- *ConnectOregon* IV OTC meeting on the 18<sup>th</sup> in Baker.
- Emergency Board request is due on the 20<sup>th</sup>.
- Date for August Aviation Board meeting was to be determined later.

### September –

- NASAO Annual Convention is Sept. 9<sup>th</sup>-11<sup>th</sup>. ODA is not going.
- E-Board Interim Session is Sept. 12<sup>th</sup>-14<sup>th</sup>.
- September Aviation Board meeting will be in Madras on the 19<sup>th</sup>?
- AAAE Conference in Utah is Sept. 26<sup>th</sup>-28<sup>th</sup>. ODA is going

### **Fiscal Statement (handout):**

**Mitch Swecker:** ODA's Director, Mitch Swecker, filled-in for ODA's Fiscal Manager, Cindy Pease, and briefed the board on the current fiscal status of the agency. Topics covered included:

- Leading Operating Revenue Sources thru June 30, 2012
- Revenue of AV/Jet Fuel Tax
- Actual Revenues Biennium to Date
- Cost Drivers
- Actual Operating Expenditures
- Search & Rescue
- Aircraft Registration
- Pavement Maintenance Program
- Cash and Limitation Balances (as of July 11, 2012)
- All Other State Owned Airport Profit and Loss Statement

## **Airport Operations:**

**Matthew Maass:** ODA's Airports Manager, Matthew Maass, briefed the board on the Crescent Lake closure; the pavement has been undermined and the airport has been closed as a result. ODA does not have the funds to repair the pavement. OPA is offering to help and do some renovations at the airport but the pavement must either be replaced entirely or changed to some other type of surface.

The board discussed the issue.

## **Capital Planning/Projects (handout):**

**Heather Peck:** ODA's Planning and Projects Manager, Heather Peck, briefed the board on current Airport Improvement Projects (AIP) and Capital Programs statewide. Topics covered included:

### ➤ AIP (ODA Airports)

- Chiloquin Runway Rehab – Bids were opened and the contract is to be awarded next week. Work scheduled to begin within 10 days of Contract. Total project timeline estimate is 90 days.
- Siletz Bay Apron Rehab. Design – Project was started in July. Final design estimated to be complete this summer with construction scheduled for next spring/summer.
- Cottage Grove Obstruction Removal – Invitation to bid has been published and will close 1<sup>st</sup> week of August. Work to start and be completed by fall.
- Aurora Air Traffic Control Tower – Project is on hold and scheduled to re-start design within the next two weeks. Final design and bid estimated to be completed by fall.

### ➤ Statewide Programs & System Planning

- Statewide Pavement Maintenance Program (PMP 2012 – ODA Region 3) – The bids are in and contracts are scheduled to be finalized next week with work to follow immediately. The 2012 program was broken down into three separate regions and contracts. There were multiple bidders this year and three separate contractors will be used.
- FAA Statewide Capital Improvement Program (SCIP) – The SCIP Coordinator has been working with the Federal Aviation Administration (FAA) and Airport Sponsors throughout the state to manage and coordinate the FAA's AIP expenditures and expiring funds.

- Pavement Maintenance Program Evaluation – The 10 evaluation is in draft form and we expect to have a final draft copy to the board by next month's board meeting.
- ConnectOregon IV – Final Committee meetings have been scheduled.
- Planning Services ATA (5 Year Contract) – The Planning Services ATA has been awarded.

Meeting ended at 1:15pm