

Oregon State Aviation Board Meeting Minutes

September 15, 2015

Aurora, 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 September 15, 2015, at Aurora State Airport(UAO) in the Columbia Aviation Association building.

Board Members Present: Chair, Mark Gardner; Board Members Keith Washington, Paul Hudgens, Mary Rosenblum, Vince Granato, Larry Dalrymple and Martha Meeker.

ODA Members Present: Director, Mitch Swecker; Airports Manager, Matthew Maass; Business Manager, Joy Howard; Planning Manager, Heather Peck; Airport Planner, Jeff Caines; Fiscal Analyst, Nohemi Ramos; Administrative Assistant, Roger Sponseller.

Presenters and guests in attendance included: ODA Director, ODA Business Manager and ODA Projects & Planning Manager.

CALL TO ORDER – INTRODUCTIONS

The meeting started at 9:30 am

Self introductions were made.

ACTION ITEM – Approval of Minutes from May 12, 2015 meeting.

Motion to approve by: Larry Dalrymple

Motion 2nd by: Mary Rosenblum

Motion passed unanimously

Public Comments:

Joe Smith: Former Aviation Board member, Joe Smith, addressed the board regarding the airspace problem in Salem. Mr. Smith hoped that the board would weigh-in heavily on the FAA's recent decision to redefine the airspace configuration around Salem. Mr. Smith felt that the new configuration impeded operations at Independence State Airport. Board Chair, Mark Gardiner, remarked that ODA's Director, Mitch Swecker, was looking into it.

Sunset Airstrip & Sunset Orchards Estates (handouts):

Jeff Caines: ODA Planner, Jeff Caines, briefed the board on the current Sunset Airstrip / Sunset Orchards Estates situation. Sunset Orchards is the housing development that surrounds the Sunset Airstrip. Applicants want a larger boundary with a new overlay zone. New site layout has already been approved by the county. Dept. of Aeronautics originally approved 50 aircraft on the field.

Speaker: April Matthias (Owner, Sunset Orchards Estates) – Ms. Matthias told the board that planning for the development of the land around the AP was started over 10 years ago. The concept was that this development would add to the pilot community that already exists. In 2013, Washington County created a new section in their community development code. That new section, the Residential Airpark Overlay District, was created specifically for the land that is next to Sunset Airstrip. Ms. Matthias is requesting that the Aviation Board change the boundaries for the Sunset Airstrip license so that they are in agreement with Washington County.

Speaker: Bill McCandles (Roth Development) – Mr. McCandles stated that Roth Development welcomes new residents who are pilots. Roth is now owned by the residents and ownership of at least 12 shares of stock is a pre-requisite to granting an easement to new lots for use at the airport. No commercial operations are permitted.

Agency Director Mitch Swecker reminded the board that ODA no longer “Licenses” private airports in the state, it only registers them. Mr. Swecker recommended that the board address the issue at the next board meeting so that more information can be gathered.

Tall Structures Analysis (handouts):

Mitch Swecker: ODA’s Director, Mitch Swecker, updated the board on recent “Tall Structure” issues currently being addressed by ODA. Specifically, ODA is attempting to determine what the extent of its jurisdiction is in regards to commenting on tall structure and land-use issues in the state. Director Swecker has asked the Oregon Dept. of Justice (DOJ) to define the limitations of what ODA can, or cannot, comment on. Current “Tall Structure” issues affected by this predicament include:

- The thermal plumes from energy plant in Troutdale
- Liquid Natural Gas (LNG) facilities in Astoria and Coos Bay/North Bend.

Director Swecker has asked DOJ to provide the agency with a legislative intent as well as a ruling, specifically, on the limits of its authority.

Implementation of HB2075:

Mitch Swecker: Director Swecker briefed the board on the implementation of HB2075. HB 2075 implements the following:

“Increases aircraft fuel taxes. Directs revenue generated by increase in tax rate to be used for certain purposes related to air service and airport maintenance. Authorizes Oregon Department of Aviation to retain portion of funds for management expenses of department.”

The bill allocates revenue towards rural airport support, promotes rural air service, provides funding for aviation-related economic development, assists municipalities, counties and port recipients of FAA airport improvement grants with local match requirements, maintenance and safety improvements at airports that are not federally funded and helps fund Oregon’s Office of Emergency Management.

Director Swecker’s question to the Aviation Board was “Does the Aviation Board believe that ODA should be doing this process alone or should ODA include other stakeholders in the decision making process regarding where and how the funds are used?” Ultimately the board will be responsible for making the final decision on who receives funds.

Director’s Update (handouts):

Mitch Swecker: ODA’s Director, Mitch Swecker, briefed the board on agency business.

➤ **Calendar of Events:**

- Sept. Sept. 21st-23rd – NASAO Conference in Boise, ID.
- Sept. 24th – PAAM
- Sept. 28th-29th – OAMA Conference in Corvallis, OR
- Sept. 28th-30th – Legislative Days
- Sept. 30th – Judiciary Committee

- Oct. Oct. 15th – Aviation Board Meeting
- Oct. 20th – Agency Directors Meeting
- Oct. 22nd – PAAM
- Oct. 22nd-23rd – AUVSI N.W. Meeting in Newport, OR

➤ **Salem Airspace:**

Salem has just announced that they are increasing the size of the class Delta airspace around Salem airport to within 1.2 miles of Independence State Airport. It was listed in the federal register but no one else was notified. ODA didn’t know and neither did Salem Airport or the Salem ATC tower. After pushback from ODA, and constituents located at Independence, the FAA agreed to redo the airspace study. A memorandum of agreement has been made with the FAA giving Independence 3.5 miles to operate in its pattern. It is a temporary solution until the FAA can redo the rulemaking for Salem’s airspace.

Administration Updates (handouts):

Joy Howard: ODA Business Manager, Joy Howard, briefed the board on recent administrative matters. These matters included:

- Annual Performance Progress Report – Ms. Howard presented to the board ODA’s APPR for approval.

ACTION ITEM – Motion to Approve ODA’s Annual Performance Progress Report.

Motion to approve by: Mary Rosenblum

Motion 2nd by: Paul Hudgens

Motion passed unanimously

- OAR’s Update – OAR’s currently being updated include:

- Division 1 – Procedural Rules
- Division 10 – Rates and Charges for State Owned Airports
- Division 80 – Aircraft Registration
- Division 140 – Civil Penalties

Ms. Howard wants to have the updated OAR’s submitted early enough to be included in the November 1st Secretary of State Oregon Bulletin. The updates need to be submitted to the Secretary of State office by October 15th. The goal is to have everything ready for review on October 2nd and have a public teleconference on October 9th so board members will be able to review the rules. This will give ODA time to make any necessary changes before the deadline date.

Airports Update:

Matthew Maass: ODA’s Airports Manager, Matthew Maass, updated the board members on current airport issues. These issues included:

- Cottage Grove Annexation – Public comment is over and most of the feedback was positive. The annexation will benefit the airport in a number of ways including utilities, access to emergency services and an easier permitting process for future growth at the airport.

Public Comments:

Nadine Kelly – Ms. Kelly spoke to the board regarding how difficult it is to deal with the city of Cottage Grove vs. Lane County in regards to the development process. Ms. Kelly expressed concern regarding the city of Cottage Grove’s purported habit of rewriting the development rules midway through project construction. Ms. Kelly stated that local contractors preferred working with Lane County.

George Divine – Mr. Divine, a tenant at Cottage Grove, told the board he wasn't at the meeting to be a proponent or opponent to the annexation. Mr. Divine stated that he felt that many of the tenants at Cottage Grove are not necessarily opposed to the annexation as much as they are afraid of the unknown. The most important thing regarding the annexation is that there be very clear guidelines and that ODA be generous with the "Grandfather Clauses" for the tenants that are currently there.

Dennis Reynolds – Mr. Reynolds, a hangar owner at Cottage Grove, reminded the board about the FAA advisory regarding effluent waste-water at airports.

ACTION ITEM – Motion to Approve Annexation of Cottage Grove State Airport by the City of Cottage Grove.

Motion to approve by: Larry Dalrymple

Motion 2nd by: Martha Meeker

Motion passed unanimously

- **Condon Annexation** – The City of Condon is interested in annexing the Condon State Airport for the same reasons as Cottage Grove (extending sewer/water and services out to the airport). Mr. Maass remarked that it was still up in the air and wasn't sure if it was going to go forward or not. He hopes to have more information by the next Aviation Board meeting.
- **Pacific City** – Recent discussions have centered on a potential LLC taking over the airport. Both Mathew Maass and Director Swecker remarked that there are reversionary clauses involving the airport and the land surrounding it. If the airport were to close, the property would revert back to the original land owners.

Kurt Bruin – Mr. Bruin, a representative of the planned LLC, addressed the board regarding its proposal to keep the airport open.

Projects & Planning (handouts):

Heather Peck: ODA's Projects & Planning Manager Heather Peck, citing time restraints, quickly briefed the board on current Planning issues.

- **Aurora State Airport** – Apron/Taxiway rehabilitation project is under way. Completion date is November of 2015.
- **Statewide System Planning** – Oregon Aviation Plan – Inventory Update, expected completion is December 2015.

- Upcoming Capital Construction Projects under Pre-Design with the FAA for 2016 Design Grants.
- Master Plans:
 - Bandon State Airport – Master Plan expected completion Dec. 2015.
 - Mulino State Airport – Master Plan is on-going. Expected completion by mid-year 2016.
 - Lebanon State Airport – Master Plan kick-off meeting is in early September. Expected completion by the end of 2016.

Meeting ended at 11:30am