

Oregon State Aviation Board

Meeting Minutes

January 8, 2013

Salem, 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 January 8, 2013, at the Oregon State Library in conference room 103.

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

Board Members Present by Phone: Nan Garnick, Larry Dalrymple

ODA Members Present: Director, Mitch Swecker; Airports Manager, Matt Maass; Planning Manager, Heather Peck; Fiscal Rep., Melody Taber; Administrative Assistant, Roger Sponseller; DOJ, David Hatton.

Presenters and Guests in Attendance Included: ODA Director; ODA Airports Manager; ODA Planning Manager; ODA Fiscal Rep.; Agency DOJ Rep.

The meeting started at 11:00am

ACTION ITEM – Approval of minutes from November, 2012 teleconference.

Motion to approve by: Joe Smith

Motion 2nd by: Larry Dalrymple

Motion passed unanimously

Public Comments

There were no public comments.

Executive Session

At 11:05am the Aviation Board went into Executive Session. Normal Aviation Board business resumed at 11:20am.

Waldo Lake:

The Aviation Board discussed the upcoming Public Hearing regarding the Waldo Lake Floatplane rule. The discussion included date and time, format, wording of the rule and whether to vote on the rule at the hearing or not. By consensus, the Aviation Board agreed that a vote on the Waldo Lake issue should be later to allow full consideration of the information received at the hearing.

Director's Update (handouts):

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

- Calendar of Events:

January: UAS Subcommittee meeting - 1/9
Pacific City meeting - 1/10
FAA Working Group – Thermal Plumes - 1/15
PAAM - 1/24
Public Hearing on Waldo Lake - 1/31

February: Legislature convenes - 2/1
Customer Utility Board - 2/6
FAA State Director's (N.W. Region) Teleconference - 2/6
AV Board meeting?
PAAM - 2/28

- KPM's:

1. Runway Pavements in "Good" or "Better" Condition.

Transfer of revenue to Operations from PMP program as authorized by ORS 836.072 reduced scope of pavement maintenance in 2010. Pavement Maintenance continued as scheduled in 2011 and 2012 and been successful in completing the program work as scheduled.

Potential decline in fuel tax revenue during 2013 and the future could impact the ability to conduct the full PMP program. Future funding revenue streams should be analyzed. Modifications to the type of pavement work to enhance overall

pavement preservation and continue to review bidding practices to incorporate all local and regional contractors.

2. Runways Meeting or Exceeding Approach Surface Standards.

Three airports in the state system are scheduled for obstruction (trees) removal. These airports include Aurora, Bandon and Cottage Grove.

ODA must identify funding resources to reduce backlog of obstructions at non-NPIAS airports to improve percentage of airports with 20:1 glideslopes to improve safety for approaching aircraft. Cost of removal of obstructions could approach \$750,000.

3. State Airports with Current Inspections.

ODA completed 139 of 142 inspections (97%). Inspections were not conducted at Owyhee Reservoir due to its remote location that is inaccessible by auto.

ODA needs to identify additional revenue sources and use cost reduction to offset the jet fuel tax shortfall.

4. Federal Funds Obligation Rate.

ODA continues to make improvements in planning, monitoring and closeout of federally funded airport projects. As stated earlier the Department currently utilizes all available Non Primary Entitlement (NPE) funds and coordinates the transfer of NPE funds between other airports to minimize the amount of funds to be returned to the FAA to be used as discretionary dollars at other airports.

ODA needs to continue support of Statewide Capital Improvement Program (SCIP) to ensure that no NPE funds expire and are returned to the FAA from any Oregon NPIAS airport.

5. Customer Service – “Good” and/or “Better” Ratings.

Customer satisfaction has remained stable. ODA staff was reduced by 5 individuals at the beginning of 2011-2013 Biennium.

ODA needs to continue to work with aviation community to provide service to stakeholders. Continue outreach and education on aviation issues.

6. Aircraft Registered.

There are 4,407 current and active aircraft in Oregon with 43 dealer aircraft. 604 aircraft are past-due for a total of 4,450 aircraft with a registration rate of 88%.

Continue development of aircraft and pilot registration database, aggressive reconciliation of erroneous data and pursuit of all revenue identified as due to ODA.

7. Pilots Registered.

Ongoing clean-up of database and elimination of duplicate and expired pilot registrations show 4,807 current and past-due pilot registrations. 4,472 are currently registered and paid up-to-date. 335 are shown as past due. 95% of pilots previously registered are currently registered in 2012.

ODA will continue the modernization of the database and reconciliation of pilot registrations.

8. Best Practices Used by State Aviation Board.

7 out of 7 Aviation Board members responded to 15 best practices identified. Results indicate an average of 13 best practices complied with. Performance Feedback for the agency Director needs improvement.

At this point the Aviation Board needs to provide formal performance feedback to the Director.

- Legislative Concepts:

LC 907 – Imposes restrictions on use of drones by private parties and public entities. Creates various crimes for unauthorized use of drones. Punishes by maximum of 20 years' imprisonment, \$375,000 fine, or both.

LC 1387 – Provides that drone may not be used by law enforcement agency for purpose of surveillance of person in place where person has reasonable expectation of privacy except pursuant to warrant. Requires destruction of images and other information acquired by use of drone within specified period of time unless information is needed as evidence in criminal prosecution. Requires that law enforcement agencies that use drones adopt policies on use of drones. Requires procedure for notifying public of policies on use of drones. Prohibits use of weaponized drones by law enforcement agencies. Declares emergency; effective on passage.

- Unmanned Aircraft Systems (U.A.S.)

Mitch Swecker briefed the Aviation Board on a recent UAS fact sheet released from the FAA regarding unmanned aerial systems and model aircraft. This fact sheet outlines, and encourages voluntary compliance with, safety standards for UAS and model aircraft operators.

Modelers, generally, are concerned about safety and do exercise good judgment when flying model aircraft. However, model aircraft can at times pose a hazard to full-scale aircraft in flight and to persons and property on the surface. Compliance with the following standards will help reduce the potential for that hazard and create a good neighbor environment with affected communities and airspace users.

Operating standards include:

1. Select an operating site that is of sufficient distance from populated areas. The selected site should be away from noise sensitive areas such as parks, schools, hospitals and churches.
2. Do not operate model aircraft in the presence of spectators until the aircraft is successfully flight-tested and proven airworthy.
3. Do not fly model aircraft higher than 400 feet above the surface. When flying aircraft within 3 miles of an airport, notify the airport operator, or when an air traffic facility is located at the airport, notify the control tower, or flight service station.
4. Give right-of-way to, and avoid flying in the proximity of, full-scale aircraft. Use observers to help if possible.
5. Do not hesitate to ask for assistance from any airport traffic control tower or flight service station concerning compliance with these standards.

Project's Update:

Heather Peck: ODA's Planning & Projects Manager, Heather Peck, briefed the Aviation Board on the status of current projects. All projects for the year have been successfully completed.

Topics covered included:

- Cottage Grove obstruction removal.
- Chiloquin runway rehab completion. Discussed A/C accident from December.
- Upcoming projects/schedule for the year.
- Aurora Master Plan was approved by the FAA.

Airports Update:

Matthew Maass: ODA's Airports Manager, Matthew Maass, updated the board on airport issues. Topics covered included:

- Winter airport closures. Crescent Lake, McKenzie Bridge, Santiam Junction, Toketee were closed for the winter on November 1st. In addition, Chiloquin, Pinehurst, Prospect,

Wasco and McDermitt have been NOTAM'd closed due to snow. Snow removal can be very expensive at some of these airports. ODOT was plowing for us but their equipment isn't really set-up for runways (chains on their tires and steel plow blades) and is cost prohibitive anyway. There is the possibility that one of the tenants at Condon will be able to get an agreement with Gilliam County to plow the runway at Condon during the winter.

Annual Report (handout):

Mitch Swecker: ODA's Director, Mitch Swecker, briefed the board on the draft of the agency's Annual Report. The format of the report is essentially the same as the reports from the last several years. The report includes comments from the Director reflecting on the issues/events of the previous year, an Aviation Board review, ODA staff review, economic impact, agency overview and mission statement, AIRO volunteer program, pilot and aircraft registration and airport improvement projects (Capital Construction Projects, the Pavement Evaluation Program and the Pavement Maintenance Program) including ConnectOregon IV. The report also covers revenue/cost drivers and available limitations and cash balances.

Fiscal Statement (handout):

Melody Taber: ODA Fiscal representative, Melody Taber, briefed the board on the current fiscal status of the agency. Topics covered included:

- Operating Revenue
- Revenue of AV/Jet Fuel Tax
- Revenue to date
- Cost Drivers
- Actual Operating Expenditures
- Search & Rescue
- Aircraft Registration
- Pavement Maintenance Program
- Cash and Limitation Balances
- All Other State Owned Airport Profit and Loss Statement

Pacific City:

The Aviation Board discussed options regarding Pacific City State Airport. A recent roundtable meeting was held between ODA, the local Chamber of Commerce and the Tillamook County

Commission to discuss the airport's future. Director Swecker reiterated that the problem with Pacific City is not a financial issue but a safety issue. Even though the probability of an incident occurring at Pacific City is low, the severity of an incident would be high due to the close proximity of population and buildings next to the runway.

Board member Jack Loacker stated that the landowners who gave their property up for the airport all have reversionary clauses which state that if the airport ever goes away the property will revert back to the original landowners. Mr. Loacker also remarked that there is a great deal of local enthusiasm for keeping the airport open and operating. The people who own homes right next to the airport don't have any issues with the amount of traffic that take-off and land at Pacific City every year. The big issue is liability.

Some of the ideas for the airport include turning over the operation and ownership of Pacific City to Tillamook County, having a local or private entity take-over the airport (local homeowners and/or stakeholders), or getting extensive liability coverage for the airport to decrease or eliminate the liability to the State of Oregon.

Board Chair, Mark Gardiner, asked ODA Director Mitch Swecker to explore options for Pacific City, whether it involves getting other stakeholders to take-over the airport or putting a liability insurance policy in place to protect the state, and have ODA make some recommendations to the board.

Additional Business:

Board member Joe Smith asked when Oregon was going to institute an "Aviation Month." Other states have months set aside on their calendars to celebrate aviation milestones in their state...why shouldn't Oregon? Mr. Smith also commented on the hangar at Oakridge State Airport. Apparently Oregon Pilots Association (OPA) is interested in using the hangar to store equipment and other material for doing volunteer work. State Airports Manager, Matthew Maass, stated that the former tenant of the hangar has passed-away and that there is a process within the State of Oregon for claiming ownership of the items inside the hangar (putting a lean on the estate of the tenant) and a further process to discharge ownership of the items and liquidating them. This process still needs to be explored.

There being no further business, Aviation Chair Mark Gardiner asked if there was a motion to adjourn.

ACTION ITEM – Adjourn meeting.

Motion to adjourn by: Jack Loacker

Motion 2nd by: Chris Corich

Motion passed unanimously

Meeting ended at 1:15 pm.