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April 5, 2002

Representative Randall Luthi
Chairman, Management Audit Committee

Dear Representative Luthi:

Thank you and the members of the Management Audit Committee for the opportunity of responding to the Confidential Draft Report on the Wyoming Aeronautics Commission dated March 28, 2002. On behalf of the Aeronautics Commission, I would also like to thank the Legislative Service Office for its work in preparing the report and making some of the changes Carol Lewis, the immediate past Chair of the Wyoming Aeronautics Commission, and I requested in the post evaluation exit conference.

This letter follows the format suggested by the Legislative Service Office. As we understand it, that format contemplates that the "Agency" affected by "formal recommendations" in a Program Evaluation respond to those recommendations with one of the following statements:

Agree
Partially Agree
Disagree
Neutral or No Comment

**Formal Response of the Wyoming Aeronautics Commission to the
Program Evaluation**

As we read the report, it contains but one formal recommendation:

“Recommendation: Wyoming Needs A New Approach to Aeronautics”

(Confidential Draft Report on the Wyoming Aeronautics Commission dated March 28, 2002, Page 19)

Our Response: Agree.

Beyond that response, the Aeronautics Commission has the following Comments about the draft report.

Comments about the Draft Report and additional information about the report’s background and findings sections

--Revision of the current statutes is an important first step in creating a new approach to Aeronautics.

Under any scenario, the Wyoming statutes that create the Aeronautics Commission and govern its activities need to be revamped. Without reiterating it here, the history contained on pages 11 through 13 of the Draft Report is essentially accurate and is helpful in understanding the dichotomy between the current statutory responsibilities and authority of the Aeronautics Commission and popular misconception about its role in aviation in this state.

As a body, the Aeronautics Commission agrees with this observation made on page 7 of the draft report:

“...[T]he Legislature has not formally directed any state government entity to work with airlines flying commercially to Wyoming cities and towns. Wyoming statutes do not charge the Commission with responsibility for improving air service, and W. S. 10-2-40 1(b) specifically prohibits the Commission from using grant funds for airline subsidies. Consequently, the Commission does not conduct air service promotion campaigns, negotiate with airlines for better service, or lobby Congress for rural air service subsidies.”

This legal framework is at odds with the general public perception that the Aeronautics Commission has the financial or legal ability to negotiate or lobby on a national scale.

If the legislature believes a state entity should conduct air service promotion campaigns, the cost of such campaigns will have to be a part of the state budget. If the legislature believes the state should be involved in lobbying Congress or negotiating with airlines, the Commission believes any entity charged with responsibility for those activities must be supported by staff, identified as the principal contact and coordinating entity within the state for that involvement, and be given the imprimatur to formally represent the state's political and financial position vis a vis airlines, neighboring states, and Congress.

--There must be a single coordinated "Clearinghouse" for aviation related issues in Wyoming and it must focus on more than airline service alone

While the Commission has, either as a body or through individual Commissioners, participated in public and private forums on the issue of air service in the State of Wyoming, it has not infrequently found itself unaware of or at odds with positions taken by other branches of state government: because so many in the state appreciate the importance of good air service, there exist concurrent efforts to improve it that are poorly coordinated. Many of these problems would be ameliorated with the identification of a specific state entity responsible for air service and the other equally important elements of Wyoming's aviation infrastructure.

Although the emphasis in the Draft report is on airlines, commercial air service is not the sum total of aviation in Wyoming—a vital role is played by segments other than air carriers. Business/corporate aviation, flight instruction, air ambulance, recreational flying and many other components have a place in the airport system. A recent issue of The Economist noted the marked shift toward private jets since September 11, 2001; Wyoming needs a single committed entity to encourage and accommodate this change.

--That Clearinghouse should be charged with measurable goals and must be funded and staffed adequately to accomplish those goals

The goal of "improved air service" is somewhat nebulous. An agency charged with the task of improving air service should be given clear direction about what is expected, the responsibility to meet those expectations, the authority to move with rapidity and flexibility when necessary, an organizational structure that insures both autonomy and accountability, and the funding to meet the legislature's goals. There also needs to be a common expectation about what portion of Wyoming's aviation

transportation needs will be met by airlines, by charter operators, by corporate aircraft, or by private airplanes.

As operators, members of the Wyoming Airport Operators Association can help identify those expectations and goals. At the instigation of the Aeronautics Commission, a facilitated meeting was held in Casper in January of 2002. The minutes of that meeting are appended to this report and contain an outline of the needs identified by the airport operators in this state who participated.

Local businesses also provide the keen insight on the economic potential for air carrier and non-air carrier service in their communities. Identifying local need, the nature and extent of which varies with place and time, is an important predicate to establishing a workable statutory scheme that encompasses all aspects of aviation in the state, not just commercial air service at the larger airports. Even before deregulation, Part 135 Charter service was an important part of the transportation system. These operators need dependable sources for fuel, weather information and ground transportation at airports that probably will never be served by airlines. Cities depend on local business being comfortable with the infrastructure at the airport. Some have to plan for and accommodate significant use by tourists or second home owners; Evanston recently had a very successful and busy winter hosting a large assortment of Olympic traffic. This aspect of aviation should not be lost in the analysis of what might be done to improve commercial air service,

--Aviation should retain a strong and autonomous voice in the State of Wyoming

It is the belief of the current Aeronautics Commissioners that revision of the current statutes should send a clear message to private operators, charter businesses, flight schools, airlines, other states and the United States Congress that Wyoming is committed to all aspects of aviation, including commercial air service. Legislation that provides for a clear and consistent aviation advocate is an important part of that message.

—Conclusion

In September of 2001, the Aeronautics Commission asked the Attorney General's office for an interpretation of its duties and powers. This request was part of a larger overall effort on the part of the Commission to reassess its role, identify those

portions of the statutes that need revision, and plot a clear course for its future as a Commission and its impact on every aspect of Wyoming's aviation system.

The request to the Attorney General was prompted in part when the Commission learned in the summer of 2001 that it had "participated" in a large airport improvement project at the Riverton airport. The Commissioners expressed concern that their first knowledge of that participation was in the form of a newspaper story. At or near the same time, the Commission was beginning to get requests from the public and from airport operators that they address service issues with Great Lakes Aviation. The Commission felt then and feels today that too many independent and non-communicative agencies were involved in aviation related issues. The request to the Attorney General was followed up by a facilitated meeting among the Commissioners in November in Jackson at which the Commission adopted its current mission statement. Subsequently, the Commission met with airport operators in Casper in January of 2002 to ask their help in defining the optimum structure of an agency responsible for aviation in this state.

The stage has thus been set for a reasoned and profitable assessment of the future of aviation in the State of Wyoming. The challenges are large, but the opportunities are even larger. Working through a single coordinated agency, staffed and funded, with a clear expectation about that agency's responsibilities and an unequivocal delegation of the authority necessary to meet those responsibilities, the Aeronautics Commission believe that advantage can be taken of those opportunities.

We look forward to discussing these issues with you in May.

Sincerely Yours,

Bradford S. Mead

DRAFT
AERONAUTICS/AVIATION STRATEGIC PLANNING MEETING

January 9, 2002
Casper Parkway Plaza

Attendees:

Skip Roberts, Laramie Regional Airport Board Member
Dan Mann, Natrona County International Airport
Jack Skinner, Laramie Regional Airport Manager
Jay Lundell, Gillette/Campbell County Airport Manager
Vein Heisler, Riverton Regional Airport Manager
Charles Van Slyke, Afton/Lincoln County Airport Manager
Brad Waters, Sheridan County Airport Commissioner
Micky McMillan, Kemmerer Airport
Mike Laird, South Bighorn County Airport
Steve Good, Converse County Airport
Norman Feck, Sheridan County Airport
Brad Mead, Aeronautics Commissioner
John Marquardt, Pine Bluffs Airport
Monte Neilan, BKM&N
Sam Hatch, Bridger Airport
Phil Weber, Bridger Airport
Mike LaSalle, EVW
TC Johnson, Star West Aviation, Evanston
Kevin Frisbee, Worland Airport
Gary Thompson, Worland Airport
Clarence Vranish, Evanston
Kent Nelson, Aeronautics Commissioner
Ray Harrison, Aeronautics Commissioner
Gwenda Urbigkit, Hot Springs County Airport
D. Ray Arey, Hot Springs County Airport
Carol Lewis, Aeronautics Commissioner
Rep. Tom Lockhart, Natrona County State Legislator

A strategic planning meeting was held in Casper at the Parkway Plaza how best to meet the needs of the airport managers and the general aviation operators in the state.

Ms. Lewis, Aeronautics Commission Chairman opened the meeting by having all the attendees introduce themselves. Using a mission statement developed by the Aeronautics Commission at their working session on December 19, 2001, Ms. Lewis explained the concerns that the Aeronautics Commission has regarding their role in aviation in the state. The present state statutes do not empower the Aeronautics Commission to actively address the needs of aviation. The power and authority for aviation is given to the Wyoming Department of Transportation and the Aeronautics Division. The only real authority of the Aeronautics Commission is to determine the disbursement of funds for grants and loans to airports. They have no authority over the aeronautics' staff that administers those funds. The statute indicates that the Commission can "cooperate" or "encourage" development of aviation, but there is no authorized funding or authority over staff for the Commission to accomplish any goals. The Aeronautics' Commission met in December to identify options to better address the needs of aviation. They believe the current status is not an

acceptable option for the future. The Commission developed a “Mission Statement” and worked to identify options to achieve this mission. She asked that the group take the Commission’s 5 initial ideas and identify a direction for the future. The option to make the Aeronautics Division a stand alone Agency would maintain Autonomy for aviation, but the vast resources and support from WYDOT would be lost. Although the consensus of the group remains fearful of aviation losing autonomy in the state, they came to a preliminary conclusion that the following concept is in the long-range best interests of aviation.

- **MISSION: “To enhance the economic well being and quality of life in Wyoming by working with public and private partners to produce a safe and efficient aviation system.”**
- What is needed to achieve the mission:
 1. Clarity about who is responsible to carry out the mission.
 2. Updated statutes that accurately reflect the current needs of aviation system (present statutes antiquated and ambiguous on who is responsible). Current system works due to dedicated WYDOT Director, Aeronautics Division Director, staff and commissions, not because the statutes support present-day reality.
 3. Budget and resources must be directly available to the responsible commission/department/division
 4. Staff who are responsible directly to the commission/department/division
 5. Emphasis in the future must be on the following:
 - Tactical and Strategic Planning for the future
 - Strong Communication
 - Business and Economic Plans for the future
 - Solid Commercial and private air service
 - Dedicated airport funding to ensure well developed and maintained infrastructure
 - Insure security at all aviation facilities
 6. AVIATION must retain a strong independent voice within WYDOT and the state, regardless of who is the Director of WYDOT. (Attendees to the planning session believe the current aviation success is due to the current support of the WYDOT Director and the Director of Aeronautics. There is fear that aviation could suffer if leadership changed.)

**AERONAUTICS/AVIATION “WISH LIST”- ACCEPTED OPTION PRELIMINARY:
SUNSET AERONAUTICS COMMISSION---WYDOT COMMISSION DIRECTLY
RESPONSIBLE FOR AVIATION**

- Update and improve aviation statutes to better meet present needs --- include authority, budget and staff in new laws
 1. Give consideration to eliminating the \$500,000 grant limit and 50-50 match limitation
 2. Eliminate outdated sections of the statute (example: WEMA section)
 3. Maintain the Aeronautics Division as a DIVISION of WYDOT
 4. Use a task force comprised of WAOA board members, Aeronautics Commissioners, Aeronautics Division staff, Legislators, and perhaps others to identify what needs to be in the NEW Statutes
 5. Provide in statute a review in four (4) years to review effectiveness in behalf of aviation
- Insure equal or greater opportunity for airport community to interact and influence WYDOT Commission decisions that affect aviation.
 1. Opportunity to address WYDOT Commission for grant requests and other aviation needs
- Continue dedicated funding for airport improvements

- WYDOT Commission must include commissioners with aviation system expertise
- Seek ways to provide ONE VOICE support system or clearinghouse for aviation issues statewide (especially with airlines)
 1. The one voice must have the ability, authority and budget to resolve the issue
 2. The one voice must have the staff dedicated to promote statewide aviation.
 3. Specific responsibility for Air Service development (Business Council, Aeronautics Division, new entity?)

The group agreed that the work from this planning session would be prepared and distributed for further consideration. The issue will be addressed again in March at the Aeronautics Commission Meeting and the WAOA meeting.