

September 3, 2024

Brandy Steffen,
JLA Public Involvement
Tony Beach, ODAV
Alex Thomas, ODAV
Samantha Peterson
Century West

RE: Comments on July 30, 2024 Aurora Master Plan Alternatives

Ladies and Gentlemen,

This letter is written on behalf of the direct airport stakeholders whose aviation related businesses are located at, and rely upon, the Aurora Airport. Please include this letter in the record of the 2023-2024 Aurora Airport Master Plan proceedings.

On July 30, 2024, the Oregon Department of Aviation (ODAV) presented three alternatives for the development of the Aurora Airport for the next 20 years and invited comment on those alternatives. **The direct airport stakeholders strongly OBJECT to all of those proposed alternatives: 1A, 1B and 2.**

Objection to Process

At the July 30, 2024 meeting, PAC members were invited to comment on the proposed alternatives via checking a box on an online form to identify which of ODAV's three alternatives they preferred. Participants had no way to offer meaningful comments or explain why none of the alternatives were acceptable. The undersigned strongly objects to ODAV's process as it is not reasonably calculated to solicit input from stakeholders as required by federal law to determine a preferred alternative. Reserving that objection, the Aurora Airport direct airport stakeholders present the following comments on the July 30, 2024 ODAV proposed master plan alternatives.

General Objection – the Alternatives Present a False Choice: Sacrifice the Safety of the Aurora Airport in the Name of Safety

Under ODAV's "alternatives" the runway extension that is well-documented to be badly needed now for safety, is held hostage to prerequisites that will take a decade or more (if they can even happen at all) and hundreds of millions of dollars that no one has. In other words, ODAV's alternatives ensure that the runway safety improvement will never happen or will happen only if the airport is less safe, all in service of perfect prerequisite compliance with design standards. This is a false choice and one that the FAA does not and in fact cannot demand and ODAV should not demand this false choice either. The false choice is not only contrary to the very purposes of aviation master planning and federal law but also ORS 836.600-642 and ODAV's mission.

Alternatives Proceed from False Assumptions

For the alternatives to have legitimacy, they must proceed from accurate assumptions. The proposed alternatives do not proceed from accurate assumptions. To the contrary, each of the three proposed alternatives proceed from false premises.

The first false assumption is that the FAA will not allow the airport to "maintain current non-standard conditions" and if the airport has any "non-standard conditions," then the FAA will place the runway "in maintenance only mode ***."¹

The second false ODAV assumption is that it is necessary for ODAV to acquire the privately owned "through the fence" properties adjacent to the airport "to ensure [their] continued long-term aeronautical use."

¹ ODAV July 30, 2024 PPT Presentation to Planning Advisory Committee. This erroneous assumption carries forward to the August 1, 2024 "Refined Preliminary Alternatives Analysis" which similarly begins by asserting that ODAV has "recognized that maintaining current non-standard conditions is not acceptable to the Federal Aviation Administration (FAA)." There is no such lawful FAA position that ODAV may "recognize." To the extent that ODAV has adopted such a "recognition" it is contrary to both federal and state law and may not serve as the foundation for the airport's 20-year future.

Starting with the second false assumption, we note that there is nothing to support the assumption that if ODAV owned the undersigned's private aviation related properties they would be bettered assured to remain in aeronautical use. Respectfully, there are a lot of reasons to believe ODAV ownership of our property would have a contrary result. It is we, the private through the fence owners, who have the strong incentive to maintain robust aviation use of our adjacent private property because it is suitable for no economic use other than aeronautical use and we have invested and continue to invest millions of dollars to assure the success of our aviation related uses there.

Conversely, we have not seen evidence that ODAV is committed to growing and supporting aeronautical use of our properties at the Aurora Airport. We have pushed for more than a decade for ODAV to remove trees that are a hazard to aviation. ODAV hasn't gotten around to doing that. We have pushed for decades for ODAV to extend the airport's runway for safety, but ODAV hasn't gotten around to doing that, despite the runway extension being approved on the 2012 airport ALP. ODAV told the airport's opponent's that the 2012 airport master plan had not been finally adopted when ODAV had clearly adopted it (otherwise there would have been no 2012 ALP), inviting years of litigation that resulted in a remand of the 2012 master plan on land use grounds. ODAV did not bother to respond to that remand of the 2012 master plan, as it should have.

With all respect, the only evidence is that the private through the fence owners have the great documented interest in the continued aeronautical use of their property – they (we) have invested millions of dollars to support aviation use at the Aurora Airport and we continue to do so, our properties are useful for nothing but aviation related use in fact. There is simply nothing to support ODAV's "assumption" that ODAV needs to buy our property to ensure its continued aeronautical use. We note that this second premise is also contrary to the legislative command in ORS 836.640-642 that ODAV **support** the private through the fence ownerships and their economic development, not buy them out. ODAV is constrained by this legislative command. The second "assumption" is simply a nonstarter.

With respect to the first erroneous assumption, the assumption's referenced "non-standard conditions" are primarily the Runway Object Free Area (ROFA) required separation for C-II design aircraft between the runway and Highway 551.² The law does not support ODAV's first erroneous premise that the FAA always requires that airports meet all design standards. The law and FAA's decades of practice is exactly the opposite.

In this regard, federal law expressly provides FAA with authority to issue modifications to standards "when necessary to meet local conditions" so long as the "modification will provide an acceptable level of safety, economy, durability and workmanship." 14 CFR 152.11(b). FAA staff lack authority to override that federal law that recognizes that "non-standard conditions" happen and can be allowed to continue in the right circumstances, as presented here.

The truth is that FAA routinely approves modifications to standards where the modification provides the requisite "acceptable level of safety." FAA has approved modifications at airports from Renton where 737's takeoff and land daily at a B-II airport, to SJC which has modifications to standards for many FAA requirements. This happens frequently enough that, as required by Congress, FAA in conjunction with the National Transportation Research Board and National Academies of Sciences, published a technical handbook entitled "**Risk Assessment Method to Support Modification of Airfield Separation Standards**" that goes to a lot of trouble to explain exactly how to assess whether a modification to an airport design standard will provide an acceptable level of safety. Contrary to the July 30 ODAV "assumptions" and August 1 ODAV "recognition",

² ODAV's "alternatives" assume another "non-standard" condition regarding the location of the airport's septic drainfields in the north and south. The septic drainfield in the south was expressly approved by ODAV, FAA and Marion County in a land use process. It is not "non-standard" or if it is, it is already approved – by ODAV and FAA. Moreover, if necessary, those drainfields can be brought to whatever standard applies. But ODAV may not merely assume they are "non-standard", say they will be "removed" in all alternatives but have no other location for them and no analysis of whether it is feasible to establish any alternative location for them. If ODAV's unstated plan is just to annex the airport to the 900-population City of Aurora that has done nothing but oppose the airport for the past decade, and that had a mayor who we understand to be on record saying the city wanted to annex the airport to shut it down, the private airport stakeholders strongly oppose any such -as yet – unarticulated plan.

this federal risk assessment publication states that “**FAA does accept requests from airports for modifications to standards.**”

Following federal law and the FAA Risk Assessment publication, respected airport planner, Aron Faegre prepared such an analysis under the FAA published risk-assessment methodology that **concludes maintaining the existing ROFA between the runway and Highway 551 provides an acceptable level of safety.** In other words, were ODAV to merely ask (and Mr. Faegre has done the work to support that), a modification to the ROFA would be granted. Which means contrary to ODAV’s “assumptions” underpinning the three alternatives that ODAV revealed on July 30, 2024, the FAA would approve maintaining the existing non-standard conditions at the airport. This should not be a surprise because the FAA approved the exact ROFA modification for a C-II design aircraft that Mr. Faegre demonstrates meets modification standards, when it approved the 2012 ALP for the airport.

**FAA Approved the Modification for the ROFA - Separation
of the Runway to Highway 551 – in the 2012 ALP under Airport
Design Standards for a C-II Airport**

The approved ALP that currently governs the airport shows that the FAA approved the runway extension to the south with a ROFA modification to standards for the C-II design aircraft for the separation between the runway and Highway 551.

Runway 17/35 Data		
	Existing	Ultimate
Percent Effective Gradient	0.06%	Same
Percent Wind Coverage (10.5 kts)	98.93%	Same
Maximum Elevation Above MSL	199.5'	Same
Runway Length	5,004'	Same
Runway Width	100'	Same
Runway Surface Type	Asphalt	Same
Runway Strength (Dual Wheel Gear)	45,000 lbs	60,000 lbs
FAA Part 77 Approach Category		
Runway 17	C (NP)	Same
Runway 35	C (NP)	D (NP)
Approach Type	Nonprecision	Same
Runway 17	Not lower than 1 sm	Same
Runway 35	Not lower than 1 sm	Not lower than 3/4 sm
Approach Slope (Required / Clear)	34:1 / 34:1	Same
Runway Lighting	MIRL	Same
Runway Marking	Precision	Same
Runway Lighting	MTL / Reflectors	Same
Runway Marking	Standard	Same
Runway Aids	LOC/DME, NDB	Same
Runway Aids	ODALS, VASI, REIL	ODALS, PAPI, REIL
Runway Safety Area Dimension	500' x 1,000' beyond runway end	Same
Runway Object Free Area Dimension	800' x 1,000' beyond runway end	Same
Runway Obstacle Free Zone (OFZ)	No OFZ Penetrations	Same
Runway End Coordinates		
Runway 17	Latitude 45°15'14.166"N Longitude 122°46'07.828"W	Same
Runway 35	Latitude 45°14'25.148"N Longitude 122°46'16.515"W	45°14'15.350"N 122°46'18.251"W

Airport Data		
	Existing	Ultimate
Airport Elevation (MSL)	199.5'	Same
Airport Reference Point (ARP)		
Latitude	45°14'54.085"N	45°14'44.758"N
Longitude	122°46'11.405"W	122°46'13.040"W
Mean Maximum Temperature	54°	60°
Airport Reference Code (ARC)	C-II	C-II
Airport Service Level	Class A	Class A
Design Aircraft	IAI Astra 1125	Cessna Citation X

Notes
Horizontal datum is NAD 1983, vertical datum is NAVD83.
The Airport is flat. Elevations / ground contours vary by less than 5 feet and are not shown. Drainage features are typically 2-3 feet lower than adjacent land.
Building restriction line is based on a 35-foot building located 495 feet from the runway centerline not penetrating FAR Part 77 surfaces for the Airport.
A Residential Through The Fence (RTTF) access exists at hangar #64 at the Wyke Condominium Association. The tenant is the resident caretaker for the airport.

FEE ACQUISITION		SAME
AVIGATION EASEMENT ACQUISITION		SAME
ON-AIRPORT BUILDING		SAME
OFF-AIRPORT BUILDING		SAME
FENCE		SAME
AIRPORT REFERENCE POINT		SAME
BUILDING RESTRICTION LINE (35' AGL) (BRL)		SAME
RUNWAY SAFETY AREA (RSA)		SAME
RUNWAY OBJECT FREE AREA (ROFA)		SAME
RUNWAY PROTECTION ZONE (RPZ)		SAME
EXTENDED RUNWAY CENTERLINE		SAME
DISPLACED THRESHOLD	N/A	SAME
RUNWAY HOLDLINE		SAME
TAXIWAY SAFETY AREA (TSA)		SAME
TAXIWAY OBJECT FREE AREA (TOFA)		SAME
SERVICE ROAD	N/A	SAME
HANGAR DEVELOPMENT AREA		SAME
APRON / TIEDOWN AREA		SAME
WINGCONE & SEGMENTED CIRCLE		SAME
VASI		SAME
PAPI	N/A	SAME
REIL		SAME
ODAL		SAME
LOCALIZER		SAME
LOCALIZER CRITICAL AREA		SAME
CHERO APRON		SAME
PAVEMENT		SAME
PAVEMENT REMOVAL		SAME
FUEL TANKS		SAME
HELICOPTER PARKING		SAME
RESIDENTIAL THROUGH THE FENCE ACCESS (RTTF)		SAME

Buildings	Existing
1	
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4	
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Standard Being Modified	Modification to Standard	Proposed Action
1	Advisory Circular (AC) 150/5300-13, para 307 (Runway Object Free Area)	The standard runway object free area (OFA) for Airport Reference Code C-II airports is 800 feet. Highway 551 runs north/south parallel to Runway 17/35; the approximate distance from the Runway 17/35 centerline to the Highway 551 centerline is 400 feet. As the airport geometry is not changing from the current condition, the Oregon Department of Aviation (ODA) requests a modification of the OFA design standard to allow the runway and highway to remain in their current positions.
2	AC 150/5300-13, Appendix 14 (Declared Distances)	The ODA requests the existing threshold for Runway 17 be referenced in determining FAR Part 77 surfaces and design standard surfaces referenced in AC 150/5300-13 (i.e., RSA, RPZ, OFA, etc.).

WHPacific 9785 SW Barnes Rd. Suite 300 Portland, OR 97225 503-626-0455 Fax 503-526-0775 www.whpacific.com	OREGON DEPARTMENT OF AVIATION	APPROVAL BLOCK OREGON DEPARTMENT OF AVIATION		SHEET INFO DESIGNED: SML DRAWN: RAI CHECKED: REA APPROVED: --- LAST EDIT: 10/17/2012 LOT DATE: 6/29/2012 SUBMITTAL:	REVISIONS NO. BY DATE REMARKS
		SIGNATURE: <i>Matthew Huvel</i> DATE: 10/17/2012 FEDERAL AVIATION ADMINISTRATION SIGNATURE: <i>Carol Suami</i> DATE: 10/18/12 TITLE: <i>Manager, Seattle ADO</i> APPROVAL LETTER DATED: <i>10/19/12</i>			

Airport Data		
	Existing	Ultimate
Airport Elevation (MSL)	199.5'	Same
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Longitude	122°46'11.405"W	122°46'13.040"W
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That means there is no reason to think that the same ROFA modification to standards cannot be approved here. ODAV should apply for it and the FAA almost certainly will grant it.

Proper Assumptions for this Master Planning Effort

With all due respect, there are proper assumptions for this master planning effort. The direct airport stakeholders urge ODAV to adopt the following assumptions and goals for the Aurora Airport Master Plan:

- ODAV can and should apply for modifications to C-II design standards for existing conditions at the airport that would otherwise require unachievable prerequisites to the runway extension.
- ODAV should grow and support the through the fence aviation operations as it is instructed to do in ORS 836.640-642. Accordingly, ODAV should expand the airport boundary to enable the last undeveloped through the fence areas shown on the draft master plan to grow and flourish.
- ODAV has an obligation to manage the Aurora Airport to safely support the general aviation that has grown to rely upon it and the Oregonians who rely upon that general aviation.
- ODAV should support the Aurora Airport as an economic powerhouse for the region being responsible for thousands of jobs and millions of dollars in payroll and visitor spending.
- ODAV should support the Aurora Airport that is known to be a resiliency center in the event of natural disasters – whether they be wildfire disasters or the Cascadia Subduction Event.
- ODAV should support the Aurora Airport that is home to Life Flight that provides important air ambulance service to needy Oregonians and delivers organs for transplant that saves lives.
- To the extent ODAV is privately planning otherwise, ODAV should strongly resist efforts by opponent municipalities like the city of Aurora to annex the airport.
- The airport should not be casually discarded to the bin of unachievable prerequisites.

Alternative that ODAV Should Consider

A wholly achievable alternative that is consistent with the FAA and state law that ODAV should consider is:

- a. a 500' runway extension to the north; better yet a 750' runway extension to the north. 750' is well-understood to be better and more appropriate for the long master planning horizon
- b. Reapproval for the necessary existing modification to standards for existing conditions
- c. Adjust the airport boundary to include the undeveloped through the fence areas on the current draft
- d. Show the Internal Circulation Road location that was shown on the 2012 ALP

Conclusion

The direct airport stakeholders stand ready to work cooperatively with ODAV toward an appropriate 20-year master plan for the Aurora Airport along the lines of the alternative that we outline above. However, respectfully, we cannot abide any of the July 30, 2024 proposed alternatives and strongly oppose all of them. We hope that ODAV will agree that the assumptions and alternative proposed by the direct airport stakeholders are appropriate ones that ODAV should adopt in support of general aviation at the airport, regional disaster resilience and economic vitality for the decades to come. The future of aviation at the Aurora Airport depends upon it.

Thank you for your consideration.

Sincerely,



William R. Granewich
Aeros Jet Aviation, Inc.

CC: Kenji Sugahara, Director, ODAV
Brad Schuster, AOPA
Edward M. Bolen, NBAA