

October 29, 2024

To: Oregon Department of Aviation (ODAV)

FROM: Tony Helbling - PAC Member
Ted Millar - PAC Member
Aurora Airport Improvement Association

RE: Feedback to Preferred Alternative - Aurora Airport Master Plan

Per the invitation at the October 15, 2024, PAC meeting, this comment is submitted by Airport Stakeholders who are PAC members as well as is submitted by the entirety of the Aurora Airport Improvement Association (AAIA). AAIA is the organization of the private airport stakeholders including but not limited to:

- Atlantic Aviation
- TLM Holdings
- Wilson Construction Company
- Kory McGregor
- Blue Skies Aviation
- Tim Warren
- George VanHoomison
- Helicopter Transport Services

This is the Airport Stakeholders feedback to ODAV/Century West on “Preferred Alternative” presented during the October 15, 2024, PAC Meeting.

1. ODAV’s preferred alternative needlessly punts indefinitely the desperately needed runway extension, inexplicably relocates the internal access road from where it is already partly constructed (wasting the investment in the existing internal road infrastructure) and where it was approved in the 2012 master plan to a location that dangerously parallels an active taxiway, destroys the septic drainfields necessary for the \$300 million in private investment at the airport to continue to support the airport’s 1,500 jobs, unnecessarily takes critically needed airplane parking, unnecessarily takes property from people on both sides of the airport, while wholly neglecting ODAV’s duty as steward of the airport to keep it safe and nurture the economic engine that the legislature directed ODAV support. ODAV’s preferred alternative is contrary to law and ODAV’s responsibilities. ODAV’s claim “the airport MUST be brought into standards as per the FAA” is simply wrong. We have explained in detail that FAA must and will consider a MOS to enable the runway extension (which will be temporary until ODAV moves Highway 551 thirty feet west in the existing ODOT right-of-way). During the last PAC meeting FAA did not claim otherwise. Rather,

the FAA representative specifically stated the FAA is not directing ODAV what to write and that the agency simply wanted a pathway to design standard compliance. Those words mean FAA will (as it must) allow the runway to be extended so long as the master plan contemplates moving Highway 551 when funding becomes available to do so.

2. The preferred alternative is a nonstarter for the following reasons.
 - a. The acquisition of the properties is unfair in that
 - i. Acquisition is apparently planned to violate the law. Instead of paying fair market value as the law requires, David Miller, the lead consultant during the PAC meeting – explained rates to be paid for the properties will not be the fair market values, the paid rates will be the tax roll valuations. (Which is a significantly lower price.) Even though this is unlawful, the statement of intention to acquire private property at unlawful law ball prices sets up the area for precondemnation blight.
 - ii. ODAV (Tony Beach) stated in a direct conversation that it will not pay for relocation costs for affected properties.
 - iii. ODAV will also not pay for business disruption costs. If the alternative proceeds the airport and affected privately owned areas will be blighted.
 - b. ODAV is completely failing
 - i. To defend investment as called for in ORS 836.642, (3), (e), “Preserve investments in pilot sites...”
 - ii. To recognize that more than half of the entire airport is made up of privately owned property, upon which private investment provides nearly 1500 family wage paying jobs. A significant portion of which could be lost if the preferred alternative is adopted.
 - c. The “Vehicle Service Road” (VSR) is poorly thought out, damaging and unnecessary.
 - i. Previous Master Plan updates to include the 2012 ALP approved by the FAA, showed and Internal Circulation Road (ICR) the underlying land for which is largely currently available at no cost to ODAV now and is partially constructed per the 2012 master plan. The ICR was designed for fuel trucks, tugs, official agency vehicles, private vehicles, and 3rd party vendor delivery vehicles. Most of the ICR was set back from the ramp and the taxiway, reducing the probability of a Vehicle Pedestrian Deviation (VPD) or a collision event.

- ii. The VSR anomalously parallels the active taxiway, and the preferred alternative omits the ICR that works and that had previously been planned to be improved to work even better to serve the private investment at the airport. Without an answer to the question put to ODAV, “Who will be allowed to operate a vehicle on the VSR?”, it appears that ODAV will only allow fuel trucks, tugs, ODAV and FAA vehicles on the VSR, again seeming to turn a blind eye to the needs of the private aeronautics’ investors at the airport and the 1500 family wage jobs they created and, until now at least, have maintained. And its responsibilities assigned by the legislature under ORS 836.640-642,

- d. Neither ODAV (nor the FAA) have identified any funding source to pay for anything in the preferred alternative, essentially making this Masterplan and its subsequent Airport Layout Plan completely unachievable, ultimately useless and a colossal waste of taxpayer money. ODAV has failed to discharge its responsibility to establish a meaningful and achievable master plan outlined in a of number federal rules to include:
 - i. AC 150/5070-6B, Part I, Chapter 1, 101. - “The technical steps described in this AC are generally applicable, although each step should be undertaken only to the extent necessary to produce a **MEANINGFUL** (emphasis added) product for a specific airport.”
 - ii. AC 150/5070-6B, Part I, Chapter 1, 104., b. – “The FAA strongly encourages that planners consider the possible environmental and **SOCIOECONOMIC** costs associated with alternative development concepts, and the possible means of **AVOIDING, MINIMIZING OR MITIGATING IMPACTS** to sensitive resources at the appropriate level of detail for facilities planning.”
 - iii. AC 150/5070-6B, Part I, Chapter 1, 104., c. 5) – “Propose an **ACHIEVABLE** financial plan to support the implementation schedule.”

- 3. It is also frustrating that a group of airport stakeholders asked to have a meeting with ODAV and its consultants to discuss an alternative the stakeholders presented on the record that is wholly consistent with the 2012 master plan, constructs in the short term the runway extended on an approvable MOS, and includes a plan to move Highway 551 west the magic 30 feet in the existing right-of-way, when funding is available to do so. It also maintains the existing drainfields merely requiring that they be brought to compliance with FAA standards as demonstrated is wholly achievable by an uncontroverted geotechnical report in the record.¹ ODAV has made it clear that it has no

¹ ODAV asserted with no evidence, that is zero support that compliance was infeasible. Reliance upon that and other unsupported assertions are disappointingly ODAV’s theme in this master plan effort.

interest in the airport stakeholders' meaningful, achievable and much less expensive master plan alternative. Rather:

- a. The Airport Stakeholders were told by the Director of ODAV that ODAV would not meet to discuss it outside of a PAC meeting and explained that any discussions of ideas would only happen during, and in full view of the public, a live PAC meeting.
 - b. As directed by ODAV's director, the Airport Stakeholders waited for the October 15, 2024, meeting to discuss the stakeholders master plan alternative (presented on September 3, 2024, and ignored to date).
 - c. We asked during that PAC meeting to discuss our proposal and were then told by ODAV's Tony Beach that the proposal had been dismissed by ODAV and the consultant for no reason other than the unsupported conclusion that it was "not possible". And any consideration or discussion of the Stakeholders' alternative was completely foreclosed in the PAC meeting forum.
 - d. ODAV and the consultants presented the ODAV preferred alternative and next steps to the PAC with no PAC discussion of the stakeholders' alternative. This appears to the PAC, that its input is unwelcome and the entire process pro forma. The only conclusion is that ODAV's decision was already made, and that stakeholder input has been and was always intended to be window-dressing, nothing more.
 - e. After the PAC Meeting, the airport stakeholders expressed frustration with not being allowed to discuss the proposed stakeholder alternative during the PAC meeting. ODAV merely gave a giant bureaucratic shrug.
4. Anyone can see this Master Plan effort is a sham, has a pre-determined outcome, and public or PAC member input is viewed as a nuisance level necessity
- a. It is apparent ODAV, the consultants have decided how the final master plan shall be completed – the preferred alternative is not about airport safety, airport efficiency, aeronautical advancement for the future, economic development, family wage jobs, but about destroying the through the fence operations at the airport. But ODAV must understand, they are in that single minded focus destroying the Goose that laid the golden economic development egg that until now has been the Aurora Airport and importantly they are violating the legislative command of ORS 836.640-642.
 - b. ODAV's tone deafness to input and the law rests on false assumptions that the FAA can and does demand perfect airport design standard compliance before the runway may be extended, even though it is clearly a real safety issue to ignore the needed runway extension, and the safety risk of imperfect design compliance is almost infinitely minute:

- i. The landing risk is “one incident in every 16.7 trillion landings, the time between occurrences is calculated as 16 trillion landings divided by 45,115 landing operations per year which equates to one incident every 369,000 years.”
 - ii. The landing roll risk is “one incident in every 12.5 million landings, the rate of occurrence is calculated as 12.5 million landings divided by 45,115 landings per year which equates to one incident every 277 years” at worst or more likely “one incident in every 16.7 million landings, the rate of occurrence is calculated as 16.7 million landings divided by 45,115 landings per year which equates to one incident every 369 years.”
 - iii. The takeoff roll phase, the risk is “one incident in every 45.5 million takeoffs, the rate of occurrence is calculated as 45.5 million takeoffs divided by 45,115 takeoffs per year which equates to one incident every 1,008 years.”
 - iv. The landing roll phase risk to taxiway is “one incident in every 11.1 million landings, the rate of occurrence is calculated as 11.1 million landings divided by 45,115 landings per year which equates to one incident every 246 years.”
5. You are no doubt aware that FAA is required to consider and approve a MOS “when necessary to meet local conditions” so long as the “modification will provide an acceptable level of safety, economy, durability and workmanship.” (See, 14 CFR § 152.11**(b)**).
 - a. That has been proven by the Airport Stakeholders alternative that ODAV is ignoring.
 - b. The design standards for which ODAV claims FAA demands perfect prerequisite compliance for any runway extension applies to all airports in the US. The FAA routinely approves MOS for large airports nationwide some with genuine safety concerns. Nothing suggests Aurora has some super anomaly warranting the disparate treatment ODAV claims FAA demands. Rather, as shown above, the risk of 30 feet of imperfection until funding is available to move Highway 551 is ridiculously small.
6. ODAV’s decisions were made before presenting information to the PAC, specifically evident in the facts surrounding the previous two PAC meetings.
 - a. Refined Alternatives 1A, 1B and 2 were NOT allowed to be seen by PAC members or the public for meaningful review BEFORE the July 31, 2024, PAC meeting.
 - b. The Preferred Alternative was not allowed to be seen by the PAC members or the public for meaningful review BEFORE the October 15, 2024, PAC meeting.

7. ODAV has lost its way. ODAV should pause the process and park the preferred alternative until such time that:
 - a. ODAV and consultants set up an in-person work session for the ENTIRE PAC where proposals that bring a win-win situation for everyone could be JOINTLY developed.
 - b. ODAV works collaboratively with the FAA, and the PAC to define a path forward that provides as safe airport, respectful of surrounding communities, protects the investment in private property both on and off the airport, and follows the law to include ORS 836.640-642.

Sincerely,

Tony Helbling - PAC Member

Ted Millar - PAC Member

Aurora Airport Improvement Association