



Mark Gordon
Governor

WYOMING DEPARTMENT OF TRANSPORTATION AERONAUTICS COMMISSION | POLICY GUIDELINES |



Bruce McCormack
Chairman

WHEREAS, the Wyoming Aeronautics Commission is charged as the sole authority to determine disbursement of funds to the state's airports; and

WHEREAS, the Wyoming Aeronautics Commission wishes to ensure consistency in the application of policies.

THEREFORE, based on the foregoing, the Wyoming Aeronautics Commission formally adopts the following policies, except and unless they conflict with federal and/or Wyoming law, in which case the federal or state law controls.

DEFINITIONS

COMMISSION, hereinafter refers to the Wyoming Aeronautics Commission.

AERONAUTICS DIVISION, hereinafter refers to the Wyoming Department of Transportation Aeronautics Division.

GENERAL COMMISSION POLICIES

1. Commission Officers, Terms of Office, and Meetings

The officers of the Wyoming Aeronautics Commission shall consist of a chairman and a vice-chairman, whose terms of office shall be two (2) calendar years. These officers shall be elected by the commission at the March business meeting. The election shall be the last item under new business. The chairman elect shall assume his/her duties after the election, and immediately following the official passing of the gavel.

By statute, the commission shall meet not less than quarterly, with quarterly meetings generally scheduled as in-person meetings and timed to facilitate commission business. Additional meetings may be scheduled as determined necessary by the chairman.

2. Professional Services

The commission requires that each consultant providing professional services for projects funded by the commission be in good standing with the Aeronautics Division, as indicated by the Consultant Performance Review procedure established by WYDOT.

3. Procedures

Projects utilizing funds provided by the commission shall be completed in accordance with procedures implemented by the Aeronautics Division. Plans, specifications, and related documents shall be compiled in compliance with applicable FAA Advisory Circulars and the current Aeronautics Division procedures manual.

4. Prompt Project Completion and Grant Closeout

Grants are provided by the Aeronautics Commission with the understanding that the sponsor has financial and professional resources in place to complete the project in the time necessary for effective and efficient grant administration.

Projects not finalized and closed within 18 months from the date of sponsor signature on the Certificate of State Grant-in-Aid, unless exhibiting measurable progress, are subject to be closed

and any unused state funds returned to the commission. Written notice will be provided to the airport sponsor of one of the following actions:

- Close grant contract with no further reimbursement.
- Extend the grant contract for a defined period.

AIRPORT IMPROVEMENT PROGRAM POLICIES

AIP1. Qualifying Projects for Airport Grants-in-Aid

The following are project types that qualify for commission funding. Projects considered eligible shall be aviation related, for public use, and conform to the state and FAA approved Airport Layout Plan as applicable.

The commission reserves the right to allow or reject any project requested or proposed for funding. Projects that do not receive approval for funding through the evaluation process may be reconsidered by the commission with a written request from the sponsor. Facilities shall be proactively maintained and supported in order to be eligible for funding.

Projects identified as Safety, Security, Maintenance, Airport Enhancement, or Planning, are defined in the Wyoming Priority Rating Model for Project Evaluation (PRM). The following project types are eligible for commission funding:

- Safety
- Security
- Maintenance
- Airport Enhancement
- Planning
- Marketing and Promotion of Commercial Service Airports
- Aviation Encouragement

Federal Projects: The commission will partially match federal projects whenever possible, if the project conforms to the commission's policies and goals. The commission will also consider funding revenue-producing aeronautical support facilities, including fuel farms and hangars, programmed for federal funding.

Revenue Generating Facilities: Except as noted in the preceding, the commission will not approve grants-in-aid for the construction of hangars; fuel farms, fuel trucks, or other fuel delivery equipment; or any other airport structure or improvement that, in the judgment of the commission, is appropriately the responsibility of private enterprise. The commission encourages development of revenue generating facilities at airfields and, as supported by statute, may provide loans to airports to build these facilities. While terminals are eligible, areas, furnishings, and equipment related to revenue generation are not eligible for commission grant funds. Pavement facilities are eligible for funding without regard to fees assessed by the sponsor.

Exclusive Use: Pavement considered exclusive use is not eligible for funding. Exclusive use includes 15 feet in front of private-use hangars, aprons leased for exclusive use, etc.

Through-the-Fence (TTF): Development of any kind for through-the-fence operations is not eligible for funding.

Buildings: Furnishings and equipment not relevant to the functional operation of the building itself are not eligible for funding. Commercial terminal passenger seating is considered necessary for the function of the building. Passenger seating may be free standing provided it is group/cluster seating.

AIP2. Allowable and Eligible Expenditures

Expenditures on grant projects are only allowable if the commission has approved the project for funding as indicated in the WACIP. In addition, expenditures are eligible only if the sponsor or their representative has followed the procedures for grant or loan projects identified in the current Aeronautics Division procedures manual.

Project approval is not a guarantee of funding. Expenditures before actual grant issuance are at the sponsor's risk.

In the case of emergency or extraordinary urgency, the initial request may be made verbally to the Aeronautics Division project manager. The project application shall also be submitted to the division within five (5) working days.

Change orders, amendments, or modifications to a project work scope must be approved before work begins for the expenditure of monies associated with said changes. Change orders are approved by the Aeronautics Division staff and do not constitute a commitment of funds.

The Aeronautics Division Administrator is authorized by the commission to approve project scope changes, amendments, or new grant applications for up to \$100,000 in state funds. If the administrative approval dollar amount exceeds \$25,000, the chairman or the vice-chairman of the commission will be notified of the modification.

AIP3. Vehicular and Portable Equipment

Vehicular and portable equipment purchased in whole or in part with funds disbursed by the commission shall be clearly and permanently marked with the name of the airport receiving those funds, and shall be reserved exclusively for use by the airport for airport business.

As a condition to receiving funding from the commission, the airport sponsor shall provide information regarding vehicular and portable equipment purchased with state and/or federal funds. An updated inventory shall be provided at the time of each equipment grant request, upon request by the Aeronautics Division.

The sponsor will be required to provide written justification for equipment that differs from the recommended type for the size of airport as described in the Advisory Circular 150/5220-20.

AIP4. In-Kind Grant Match

Qualifying in-kind match on projects must be approved in advance in writing by the Aeronautics Division project manager. Appropriate documentation providing the value of the in-kind work or product is required.

Qualifying in-kind product or work accomplished by the sponsor shall be credited toward only the sponsor's share of the match and will not be reimbursed with grant monies. Examples of qualifying in-kind match are labor, materials, equipment hours, and so forth. Airport administrative staff hours do not qualify as in-kind work.

In-kind grant match is not applicable to marketing grants.

AIP5. State Funded Projects Involving Federal Funds

In occasional instances where a state matching grant is awarded to a project before the federal grant is awarded, the state grant is still contingent upon receiving federal funds and is subject to being withdrawn if the federal funding is not provided.

AIP6. Aircraft Rescue and Firefighting (ARFF) Training Facility and Supplies

The commission recognizes that the entire state benefits from ARFF training. Therefore, the commission will consider reimbursement to the Natrona County ARFF Training Facility for up to 90 percent of ARFF training supplies and related expenses to offset reduced in-state airport firefighter tuition and fees at the facility.

The following are eligible expenditures for ARFF training facility grants:

- Fuel for live burns
- Fire extinguishing agents
- Fire extinguishers, air packs, hoses, nozzles, and so forth, including maintenance of these items
- Utilities for ARFF training facility
- Parts and labor for major repairs and winterizing of large equipment, burn pit, fuel system, and water system

The sponsor will be allowed a set 10 percent in-kind match for training operations labor (setup, instructor hours, etc.) and incidentals.

AIP7. Airport Grants-in-Aid for Marketing

The commission may grant up to 5 percent of the available grant-in-aid funding to any Part 139 certified airport for the direct advertisement and promotion of an existing commercial air service provider or a commercial air service provider intending to provide services at that airport. Any amount granted under this policy shall be equally matched by the airport sponsor. Promotion of airport use or services and the fly local concept will also be eligible under this program. The creation and analysis of reports, studies, and surveys used to enhance advertising efforts will be considered an acceptable part of a promotional campaign.

Fees and expenses incurred by airports for hiring marketing or other consulting firms to aid or execute a marketing campaign will be considered eligible under this program.

The request for state aid may be submitted at any time during the WYDOT fiscal year and shall include a detailed description of the marketing plan. Deviation from the original marketing plan will require a written request and approval prior to proceeding. A final report outlining the marketing activities undertaken will be required at grant closeout. No more than 95percent of the total grant amount may be reimbursed before receiving this final report. A marketing grant may remain active for a maximum of 18 months.

The commission prohibits airports using grant monies to directly advertise negatively toward other Wyoming airports. No employee's wages or incentives given to the public for participation in activities will be considered for reimbursement. State funds cannot be used to purchase alcohol.

AIP8. Percentage of Funding For Project Programming

The Aeronautics Division will use the following percentages as a guideline in programming projects. Funding percentages are based on Purpose of Project categories, as defined in the Wyoming Aeronautics Priority Rating Model (PRM), where noted. The commission reserves the right to deviate from this guideline.

Federal Projects: Sponsor portion will be matched at 60% state/ 40% local

93.75% Federal / 3.75% State / 2.5% Local

- All Federal Projects at Commercial Service Airports

90% Federal / 6% State / 4% Local

- All Federal Projects at General Aviation Airports

100% State / 0% Local

- Aviation encouragement

90% State / 10% Local

- Safety (PRM)
- Pavement maintenance when part of a state group maintenance project, price agreement, or other similar significant cost saving measure.
- Group projects with engineering and/or inspection provided by the division will be 80% state/20% local for the construction portion, and 100% state for the engineering and inspection portion, approximating a 90% / 10% overall match.

80% State / 20% Local

- Security (PRM)
- Maintenance (PRM)
- NAVAID Maintenance service contract

60% State / 40% Local

- Planning (PRM)
- Airport Enhancement (PRM)

50% State / 50% Local

- Marketing/Promotional

A project that meets more than one category will be placed in the category determined most appropriate by the Aeronautics Division staff.

Airport sponsors may submit a request for state match exceeding the standard funding matches outlined in the preceding by submitting a written letter of need for commission consideration. The letter shall include an explanation of why the additional state funding is needed, including but not limited to: why local funds are not adequate, what solutions the sponsor has pursued to alleviate the situation and the ramifications if the funding is not granted.

For Safety equipment projects that are eligible for federal funding but for which the sponsor chooses to utilize only state/local funding, a funding match of 75 percent state/25 percent local will be applied.

AIP9. Review Appraisals

Review appraisals for land related projects funded by the commission will be performed by the Wyoming Department of Transportation Right of Way Program.

AIP10. Retainage

The Aeronautics Division may retain up to 5 percent of the total grant amount until the work, as defined in the scope of the project, is substantially complete. After substantial completion, payment of the remaining grant amount may resume in accordance with the work accomplished. Up to 2.5 percent of the total grant amount may be retained until all final documents (financial, technical, and administrative) have been provided to, and approved by, the division and the project has been finished to the division's satisfaction.

AIP11. Annual and Recurrent Projects

Airport Improvement Program (AIP) grants for projects of an annual or recurrent nature will require expenditures to be completed within the October 1 through September 30 fiscal year or as specified by the project manager. Examples of these projects include ARFF training facility and supplies, and NAVAID maintenance.

AIP12. State Aviation System and Funding

The commission uses multiple resources for development of the Wyoming Aviation Capital Improvement Program (WACIP) for improvements to the State Aviation System. These sources include but are not limited to the following:

- Wyoming State Aviation System Plan (WySASP) and supporting inventories, studies, and evaluations
- Priority Rating Model for Project Evaluation (PRM) for ranking projects
- Aeronautics Division staff assessment and recommendations

The WACIP has been adopted by the commission as the programming and budgeting tool for funding Wyoming airport improvements with state funds. All projects funded with state grant funds must be included in the WACIP.

Project requests will be made to the commission in accordance with the current Aeronautics Division procedures manual. Projects will be presented to the commission through the WACIP for approval.

AIP13. Aviation Encouragement

The Wyoming Aeronautics Commission, in an effort to promote aviation throughout Wyoming and increase the public's awareness of aviation, will give airport aid up to \$5,000 for events that promote interest in community airports, encourage private flying, or aid in expanding commercial air service in the community.

The commission encourages the airport to seek local sponsorships and donations, but it will not require local matching funds for events that promote the airport or aviation and meet one or more of the following criteria:

- Promotes interest and enthusiasm for aviation
- Provides opportunity for aviation education events or programs
- Provides information about the local facility and surrounding area to the public
- Enables opportunity for the public to further explore and understand the economic and social benefits of the local facility
- Promotes aviation and airport safety to aviators and the general public
- Encourages further use and/or development of the airport
- Encourages current or new commercial air service providers to expand service levels at the airport

Expenses not approved as part of the scope of work at time of request for state aid will not be approved for reimbursement. No employee's wages or incentives given to the public for participation in activities will be considered for reimbursement. State funds shall not be used to purchase alcohol.

Application for state aid may be made at any time during the WYDOT fiscal year up to 2 months before the activity date. All grants issued under this policy shall be closed prior to the end of the WYDOT fiscal year in which the funds were requested unless otherwise approved by the division.

AIP14. Additional Federal Funds

To allow local governments to accept additional federal funds for projects currently approved in the WACIP, *and when timing of these funds does not allow a vote of the commission*, the commission gives authority to the administrator to accept additional federal funds into the state, upon consultation with the chairman or the vice-chairman.

AIR SERVICE DEVELOPMENT PROGRAM POLICIES

ASD1. Air Service Enhancement Program (ASEP) Project Eligibility

By statute, the commission can award grants to projects that provide “contractual assurances that specified benefits will accrue to the state through increased air traffic and enplanements.” W.S. 10-3-601 (b). Examples include: minimum revenue guarantees (MRGs), marketing or promotional funds, and expenditures required to meet federal security configurations.

ASEP funds are to be used only for state matches to MRGs. All sponsors requesting funds through the ASEP will be vetted and if of sufficient merit, scored through the Air Service Development Priority Rating Model (PRM) for consideration by the commission. The commission reserves the right to approve or deny any request for funding under the ASEP. Requests for ASEP grants may be made at any time during the fiscal year if funds are available.

ASD2. Air Service Development Project Types

- Critical service - Up to twice daily scheduled service to a hub (as defined by the FAA) for airports at risk of losing AIP entitlement funds.
- Growth service - Service beyond the established critical service levels.

ASD3. Percentage of Funding for Projects

By statute, ASEP grants require a “significant” match from local sponsor(s). The Aeronautics Division will use the following percentage matches as a guideline for ASEP grant contracts based on the project type:

- Critical service: 60% state / 40% local
- Growth service: 40% state / 60% local

The commission reserves the right to deviate from this guideline. Sponsors may request a state match exceeding the standard funding matches outlined in the preceding by submitting a written letter of need for commission consideration. The letter shall include an explanation of why the additional state funding is needed, including but not limited to, why local funds are not adequate, what solutions the sponsor has pursued to alleviate the situation, and the ramifications if the funding is not granted.

ASD4. Grant Contract Change Requests, Extensions, and Closeout

Grant contracts under the ASEP requiring substantial changes to the scope of services provided by the airline or intended accrued benefits under statute will require a commission vote for approval.

ASD5. Project/Community Eligibility for Capacity Purchase Agreement (CPA)

Participation in the CPA is at the discretion of the commission.

ASD6. Term and Contract Amounts for CPA

By statute, the commission may enter into a contract to procure air services for the CPA. The contract as executed is a 10-year agreement with options to re-approve. Each contract extension will require commission review and approval.

ASD7. Percentage of Funding for Capacity Purchase Agreement (CPA) Projects

Eligible communities under the CPA are by default critical need communities. As such, their percentage matches mirror the critical service category of the ASEP:

- Critical service: 60% state / 40% local