

Aurora Farms
13490 Cedarwood Rd NE, Aurora, OR 97002

January 20, 2024

To: Marion County Planning Division

Re: Comprehensive Plan Change/Conditional Use 23-002

Regarding the adverse impact of the TLM vertiport development upon local Airport neighboring farm operations-we at Aurora Farms would care to contribute a few cautionary thoughts.

The application does not specify the number of expected helicopter or drone flights at the proposed vertiport, or specify their routes beyond the subject property. It is impossible to evaluate how the increased flight operations will be compatible with adjacent and surrounding farm uses without knowing the number of flights.

Drones are now frequently used in agriculture and have become a customary farm practice. The current Life Flight and Columbia Helicopters helipads are some distance from my farm, and the helicopters achieve an adequate elevation before reaching my farms, and thus do not interfere with the use of drones for farming. But this application places helipads and the drone vertiport directly across the street. This will adversely impact the use of drones for farm operations. I will need to coordinate with the control tower that will dictate to me when and where drones can fly on my farm. The safety risks to all involved are obvious. The airport has already suffered one accident where an airplane struck and destroyed a drone. Obviously, the need to follow instructions from the control tower and the risk that a drone may be destroyed while working on my farm is a significant increased cost of operating my farm.

Our operations have been utilizing the lands on the east side of Airport Road from the intersection of Keil and Airport Roads northward to directly across from Stenbock Road for approximately 20 years. These farms are on tax lots 100, 200, 300 of map 0401W12B, and tax lots 600 and 700 of map 04S01W01, directly across Airport Rd. from the subject property. Our tractor, truck, and labor buses use all four of the east farm driveway entrances/exits onto Airport Rd. along the aforementioned stretch of Airport Road nearly daily during our February to early December growing season.

We have never publicly opposed development of the "church camp" property, however we harbor some serious concerns especially in the road and alleged traffic "studies" put forth in the plans. The prior plan, since denied, had almost 500 parking places, while the new vertiport

plan mentions 277 parking spots. Both proposals somehow FAILED to acknowledge the serious traffic safety problems for slow-moving farm equipment occurring regularly on Airport Road. The road has become far more than a farm to market roadway, but rather a commuter road to save predominantly Clackamas County workers a few minutes time to access I-5.

Excessive speed for sure, and narrow shoulders with deep ditches to carry the airport's stormwater to the Pudding River, are a big problem which may soon arrive in a tragic manner. The time of day has much to do with part of the problem as the road seems to attract the speed-merchants!

We are very worried that our operations could fall innocent victim to a high-speed accident at one of the farm driveways. The applicant's traffic study only addresses travel times for farm vehicles in the area, but it does not address safety hazards or necessary safety upgrades for the farm driveways caused by the additional project traffic, including the hazard from rubber-necking drivers distracted by the helicopters taking off and landing a mere 80 feet above their vehicles while driving on Airport Road. For example, the northern farm driveway is located about 90 feet north of where the project's traffic added to Stenbock Road intersects with Airport Road. The sight distance in this area is restricted by the curve in Airport Road that is located about 100 feet north of Stenbock. The application does not address the limited sight distance hazard which is a risk to all vehicles, especially slow-moving farm equipment. Marion County Road Dept. allows the excessive posted speed, and unfortunately, there is a shortage of regular traffic patrols to keep a lid on careless/speeding drivers.

The just-mentioned three concerns doesn't even bring up the traffic delays which might occur at the Airport-Ehlen Road junction. Many of my concerns are not insurmountable, however the parties involved in the development and how the Marion County regulatory establishment responds is critical.

Respectfully

R.M. Iverson
Aurora Farms

Brandon Reich

From: PIKE Brandon <Brandon.PIKE@odav.oregon.gov>
Sent: Thursday, January 4, 2024 11:27 AM
To: Brandon Reich
Subject: ODAV Comments on Marion County File No. Comprehensive Plan Change / Conditional Use 23-002

⚠ WARNING: This email originated outside of Marion County.
DO NOT CLICK links or attachments unless you trust the sender and know the content is safe.

Good morning Brandon,

Thank you for providing the opportunity for the Oregon Department of Aviation (ODAV) to comment on file number(s): Comprehensive Plan Change / Conditional Use 23-002.

ODAV has reviewed the proposal and prepared the following comments:

1. Prior to the construction or establishment of the proposed vertical takeoff and landing facility, the applicant must submit an application for approval of the airport site to ODAV, as described in Oregon Revised Statutes (ORS) 836.090.
2. Prior to the construction or establishment of the proposed facility, the application fee must be paid to ODAV, as described in ORS 836.085.
3. The proposed development must adhere to the approval criteria for the establishment of an airport as described in ORS 836.095 and OAR 738-020 (Minimum Standards for Airports).
4. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development is required to undergo aeronautical evaluations by the FAA and ODAV. The aeronautical evaluations are initiated by the applicant providing separate notices to both the FAA and ODAV to determine if the proposal poses an obstruction to aviation safety. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.
5. The height of any new structures, trees, and other planted vegetation shall not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.
6. Any proposed external lights shall be designed as to not interfere with aircraft or airport operations.

Additionally, the applicant is advised to review the FAA's webpage which outlines procedures for establishing private-use airports: <https://www.faa.gov/faq/what-procedures-must-i-follow-build-private-use-airport>. This includes the submittal of FAA Form 7480-1.

Please reach out if you have questions or concerns.

Best,

BRANDON PIKE
OREGON DEPARTMENT OF AVIATION
AVIATION PLANNER

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January 20, 2024

To: Marion County Planning Division

Re: Comprehensive Plan Change/Conditional Use 23-002

Friends of French Prairie is submitting the following comments on Comprehensive Plan Change request and Conditional Use Permit application CPCU23-002 and the related development proposal.

This application is framed by the following statement on page 20 of the Application:

Goal 11 provides as one of its planning guidelines that public facilities and services for rural areas should be provided at levels appropriate for rural use only and should not support urban uses.

An exception to Goal 11 is being sought because the level of proposed development on the property is likely considered an urban level of use and requires a Goal 14 exception. Facilities necessary to support urban development and urban levels of use on rural land arguably require an exception to Goal 11.

The fact is that the level of proposed development is an urban use and should occur within an Urban Growth Boundary. This raises questions about adequate alternatives analysis and specifically the applicant's proposed use of HDSE sewer association's drain fields on state land at the Aurora State Airport.

Traffic

On Page 89 of the application, the following is stated: "The submitted transportation impact analysis demonstrates that, with the proposed mitigation, the existing transportation system is sufficient to handle the traffic increases that would result from approval of the proposal. The proposal is consistent with this policy."

Specific to that, on Page 93 of the Application, the following is stated:

Proposed Finding: The subject property will take access from Airport Road NE and Stenbock Way NE. Airport Road NE is a major collector road. Table 10- 3 of the RTSP indicates that Airport

Road has the capacity for an additional 3,000 trips per day. The DKS TIA demonstrates that the proposal will generate far less than 3, 000 daily trips and that none of the three access points to Airport Road from the subject property trigger turn warrants. All access points will operate consistent with the functional classification of Airport Road. The evidence in the record supports the conclusion that the proposal will not exceed the trip generation level indicated in Table 10-3. The proposal is consistent with this policy.

While the RTSP may indicate that Airport Road has the capacity for an additional 3,000 trips per day, clearly this is a theoretical calculation and not based on observations of how traffic flows on Airport Road. As a major collector it has become a major rush hour feeder to/from I-5, and the absence of a turn lane onto Kiel Road not only impedes north/south traffic, but creates a hazard while slowing traffic flow. Further, it makes turning from Kiel onto Airport Road extremely difficult during high traffic volume times, especially turning left to go north. In addition, Airport Road terminates to the south on Ehlen Road at the entry to Aurora with a stop sign. The lack of a turn signal there means traffic backs up during high traffic volumes to the south such as during rush hour.

It is astonishing that a development proposal of this magnitude can be proposed with NO traffic mitigation!

On Page 28 of Exhibit 39, the Site Plan Review states:

The site plan includes approximately 102,916 square feet of proposed vertiport- heliport storage and hangar space and 101,036 square feet of proposed vertiport- heliport related office/ shop space. The site plan also includes 277 proposed parking spaces located primarily along Airport Road. The site plan shows sufficient aisle width for parking maneuvers and a sufficient number of access points for emergency vehicle access.

Additionally, on Page 15 of Exhibit 39, the following is stated followed by Table 6:

There are three hangars and one headquarters building shown on the site plan. Hangar V is only for verticopter and helicopter storage and will not contain any office or shop space. Therefore, it is assumed to not generate any independent vehicle trips. Hangar W and Hangar X are proposed to house verticopter and helicopters as well as provide space for shops and offices. This combination of shop and office space is best matched by the Warehouse ITE Land Use (LU Code 150), which is described as "... primarily devoted to the storage of materials, but it may also include office and maintenance areas.

The Vertiport Headquarters building will have a mix of traditional office space and shop space. For trip generation purposes, it was assumed that approximately 50% of the floorspace would be general office (ITE LU Code 710) and 50% would be verticopter and helicopter shops (ITE LU Code 150).

TABLE 6: TRIP GENERATION SUMMARY FOR PROPOSED DEVELOPMENT

LAND USE (ITE CODE)	TRIP GEN RATE ^A	UNITS	AM PEAK HOUR			PM PEAK HOUR			DAILY TRIPS
			IN	OUT	TOTAL	IN	OUT	TOTAL	
WAREHOUSE (150)	0.17 (0.18)	85.4 KSF	11	3	14	4	11	15	146
GENERAL OFFICE (710)	1.52 (1.44)	15.7 KSF	21	3	24	4	19	23	170
TOTAL			32	6	38	8	30	38	316

Note:

- A. XX (YY) = AM peak rate (PM peak rate) in trips per 1,000 square feet of gross floor area
- B. KSF = 1,000 square feet

The selection of ITE Code 150 is not only inadequately justified, it also appears to be self-serving in that it results in a Trip Gen Rate of 0.17 which results in artificially low Daily Trips.

If, as stated, Hangar V is exclusively for "Verticopter and Helicopter Storage" then it may fit into the description of ITE Code 150 as a "long term storage facility." No justification is provided for splitting Hangars W and X into "Verticopter and Helicopter Storage" and "Shops/Offices."

Those hangars are described as "proposed to house verticopter and helicopters as well as provide space for shops and offices," which is not long term storage, but rather building with combined active helicopter hangars combined with shops and offices for those helicopters.

The described proposed uses are much more consistent with ITE Code 110, described as "A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space." Or, alternatively since this development is associated with the transportation facility otherwise known as the Aurora State Airport, ITE Code 22 for General Aviation Airport is a more accurate land use for purposes of trip generation.

Using the ITE Code 110 for Hangars W and X would mean correctly applying the Average PM Peak Hour Trip Rate of 0.65 for the combined 133,720 sq. ft. resulting in significantly higher Daily Trips from those two hangars. Correspondingly, using the ITE Code 22 for General Aviation with a Trip Gen Rate of 1.57 Average PM Peak Hour Trip Rate of 1.57 would generate an even higher level of daily trip, a trip level, in fact, much more in keeping with an airport location and 277 parking spaces. Instead, an ITE Code has arbitrarily been selected based on characterizing Hangars W and X as something very different from what will actually occur there.

If the entire project will generate only 316 Daily Trips and thus needs NO traffic remediation, why are 277 parking places proposed? Further to that point, if there are only 90 projected employees as shown in Table 2 of the Evaluation of Proposed Combination of the Wastewater Flows from Existing HDSE and

Future NMCVH Onsite Wastewater Treatment System, August 2023, why are 277 parking places required?

Stormwater

The stormwater management part of the application is predicated on this proposal being a replacement for the previous proposed development, and as is stated on Pg. 1 of Exhibit 40: "The proposed site plan will have less than 89% of the site be impervious. This is similar to, but slightly less than, the previous site plan which had 89.7% of site impervious area. Maintaining a similar impervious area will ensure that the same stormwater approach can be used for the proposed site plan."

It should not be minimized that the impervious area will be composed of the roofs of buildings and the surfaces of parking lots, tie down areas and taxi ways, etc.

The proposed stormwater management plan rest on the Aurora State Airport 2021 Stormwater Pollution Control Plan for the majority of the airport, approved by DEQ, described as: "Discharge through grassy swale on airport property for 554.8' to Outfall #001, then through several ditches before reaching a branch of the Pudding River." This plan has received an NPDE Permit (1200-Z) and is in effect through June 30, 2026.

On Pg. 2 of Exhibit 40 it is stated:

The proposed site can detain the required amount of volume by using a similar approach to the one outlined in Attachment C— December 2018 Stormwater Report. The proposed stormwater site plan will utilize a combination of 18" strip drains, detention pipes, and detention ponds. These elements detain the water ahead of release off-site and allow some surface ponding to occur. When the detention volume is met there is an overflow control structure that collects the water and conveys it to the existing ditch along Airport Way. The flow leaving the site will be limited by an orifice and will comply with the Marion County Public Works Standards.

Conveyance calculations for the Airport Road NE ditch, which is the natural drainage path for this proposed development, are satisfied by the calculations shown in the December 2018 storm report in regard to the proposed changes to the previous site design.

After stating that there is a risk of accidental release of fuel and other contaminants in addition to road waste runoff from the large impervious surface area of the parking spaces, Pg. 60 of the Application states that, "the subject property is as well situated as any of the properties within the corridor area being located as far away from any of the major riparian areas as any of the properties in the threshold area," and Pg. 67 states, "there are no streams or drainage ways on the subject property that could result in accidental minor spills rapidly moving from the property to effect surrounding rural lands."

What is not said is that while there may be no streams on the property, all the stormwater flows off the property into and down the ditch on Airport Road, through three culverts and into the Pudding River. During heavy rains the *strip drains, detention pipes, and detention ponds will fill rapidly and overflow into the ditch along Airport Road.*

Nowhere is it acknowledged that the Pudding River is a salmonid stream [see Pudding River Rapid Bio-Assessment 2014 Final Report prepared by Bio-Surveys, LLC.], nor is any mitigation discussed that would account for the delivery of fuel spills, other contaminants and hazardous road waste into a salmonid stream with juvenile salmon and steelhead. Moreover, the Pudding River is an identified and protected Goal 5 resource in the Marion County Comprehensive Plan. The application fails to evaluate the effect of the additional stormwater discharges, independently and cumulatively with existing airport discharges, and thus fails to satisfy Goal 5.

Sewer/Septic/Wastewater

Exhibit 41 (EMS — Wastewater Analysis) outlines approvable options for wastewater treatment/disposal for the proposed development to include Option A. Holding Tanks; Option B. New WPCF Permit; Option C. Alternative Water Use Permit; Option D. NPDES Permit; Option E. Connection to an existing system.

It should be noted that the Aurora State Airport and its associated private property owners currently have a mix of septic tanks and holding tanks (that require regular pumping) and that is not a sustainable solution. Further, the HDSE system utilized drain fields on the state airport property but the FAA has found the location of those drain fields adjacent to the runway to be in violation of FAA rules for the Runway Safety Area.

Page 5 of the Application states:

Related services to include, development of on- site water, wastewater and stormwater facilities, with authorization to connect to the HDSE wastewater system should it receive approval to serve additional parcels or to utilize the Columbia Helicopter drain field if additional land use approval is obtained,

Further, on page 20 of the Application after noting the need for a Goal 11 exception, the following is stated:

Furthermore, Petitioner is seeking authorization for the sewer services on the subject property to be able to connect to either the existing HDSE Sewer System located on the Aurora State Airport properties if and when the HDSE approval is amended to allow providing sewer service to other properties, or for the subject property's wastewater system to connect to the septic drain fields on the Columbia Helicopters property, for which there is sufficient excess capacity, if appropriate land use approvals are obtained.

The requested approval is further detailed on Pg. 80 of the application:

Applicants request that this approval, in addition to approving an on-site system that includes any of the systems justified by the EMS evidence as feasible and permittable by DEQ, authorize, without the need to amend or obtain a new Goal 11 Reasons Exception, connection to the HDSE

facility or the Columbia Helicopter drain field should the appropriate permits for such extensions and connections be obtained.

As noted previously re: traffic and stormwater management comments, Table 2 of the Evaluation of Proposed Combination of the Wastewater Flows from Existing HDSE and Future NMCVH Onsite Wastewater Treatment Systems. August 2023 shows a total of 90 employees working at this development when completed, generating an Expected Peak flow of 1,350 GPD and an Expected Average of 675 GPD.

90 employees do not require 277 parking spaces. Even allowing for ½ parking place per employee for customers, visitors, etc. that would only require 135 parking spaces.

The only reason for the developer to propose holding tanks would be cost avoidance, and this should not be considered given the history. Any septic/wastewater system approved for this development should be on-site, and the land needed for such a system can be achieved by removing half of the proposed and unneeded parking spaces.

Sincerely

A handwritten signature in cursive script that reads "Benjamin D. Williams". The signature is written in black ink and is positioned below the word "Sincerely".

Ben Williams, President



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RECEIVED

JAN 30 2024

**Marion County
Planning**

January 30, 2024

Marion County Planning Division
5155 Silverton Rd., NE
Salem, OR 97305

Re: CP/CU 23-002 (TLM Holdings, LLC) - Request For Denial

To Marion County Planning Division:

Friends of Marion County is an independent 501(c)(3) farmland protection organization founded in 1998. Our mission is to protect farm and forestland, parks, and open space in Marion County.

We oppose and request a denial of the application of TLM Holdings, LLC to develop an airport for vertical takeoff and landing vehicles (helicopters and eVTOLS) on a 16.54 acre parcel in an EFU (Exclusive Farm Use) zone located at 22515 Airport Road NE, Aurora, OR 97002 (4S; 1W; Section 02D; tax lots 800 and 900).

Please include these comments in the record for the application.

A VERY LONG HISTORY

Friends of Marion County (FoMC) has been involved in the Aurora State Airport Master Plan Public Advisory Committee (PAC) since March 10, 2011¹ and submitted its first comments on April 21, 2011.² The chronology of PAC meetings and topics are summarized on June 13 and June 16, 2011.^{3,4}

Aron Faegre & Assoc. report summarizes well water Arsenic contamination found in private and public well water supplies, January 14, 2014, (Page 1/30) and recommended connection to the City of Aurora water system.⁵

On January 22, 2014, The Department of Land Conservation and Development (DLCD) issued a notice of a denial or withdrawal of a proposed change to a plan or land use regulation, LA13-1.⁶

The Aurora Airport Control Tower (ACT) was originally funded in the Master Plan in 2008 and then dedicated on August 12, 2015.⁷

PART II

After a 5 year absence, the Aurora Airport Planning Advisory Committee (PAC) reconvened Meeting #1 on November 16, 2021⁸ and FoMC, representing 1000 Friends of Oregon, was selected to join the PAC, October 13, 2021.^{9,10}

JLA Public Involvement, manager of the PAC meetings, maintains the website for the meetings <https://publicproject.net/AuroraAirport#>.

JLA conducted a survey, <https://publicproject.net/files/2023-01/uao-amp-survey1summary-041222-final.pdf?05cc8879a8>. The survey was open from February 23, 2022 to March 28, 2022, recording 467 responses.

JLA states that "A survey is a data collection method made up of a list of questions, designed to help gather information. The survey results are not statistically significant, nor can they be extrapolated to the larger community."

JLA managed both virtual and in-person meetings and work sessions; Tuesday, November 16, 2021, Tuesday, March 1, 2022, Tuesday, April 5, 2022, Tuesday, May 3, 2022, Tuesday, November 15, 2022, and emailed a cancellation notice to PAC members of the planned meeting scheduled for January 30, 2024.¹¹

PART III SUMMARY OF COURT CASES

1) The first LUBA appeal of the 2012 Master Plan was by Friends of French Prairie, filed Sept. 10, 2019 – LUBA No. 2019-083. That appeal was dismissed on December 10, 2019 on the basis that the decision being appealed was "not a land use decision." LUBA ruled that the letter from the ODAV Director confirming that the Master Plan was never properly approved and adopted was not a land use decision.

2) The second LUBA appeal was prompted by the first, resulting in an Aviation Board meeting wherein the Oregon Aviation Board attempted to retroactively approve and adopt the 2012 Master Plan in 2019 while at the same time declaring that it "was not a land use decision" even though the Master Plan included an expansion of the airport onto EFU land – LUBA Nos. 2019-123/127/129/130. The consolidated appeals were Joseph Schaefer, City of Aurora, 1000 Friends, FoFP and the City of Wilsonville v. the Oregon Aviation Board which LUBA dismissed and which was then appealed to the Court of Appeals. On June 16, 2021 the Court of Appeals found that the 2012 Master Plan was not properly approved and adopted, that the 2012 Master Plan was never adopted into Marion County's Comprehensive Plan, that the Aurora Airport and proposed expansion are not rural uses and that the proposed expansion was to permit service to a larger class of aircraft.

3) The Aviation Board and ODAV filed a Petition for Review to the Supreme Court on Oct. 6, 2021, and on Dec. 9, 2021 that petition was denied by the Supreme Court, S068906.

CONCLUSION

Since then, ODAV and the Aviation Board have done nothing to comply with the Remand or the rulings against them. To wit, the 2012 Master Plan and its Airport Layout Plan are still posted on the Aurora Airport web page as the extant and applicable documents. They are operating on the assumption that getting the new Master Plan completed will cover over and resolve all the prior issues.

THE APPLICATION

eVTOLS

The Applicant proposes a new airport for the use of helicopters and eVTOLS on the property as a transportation facility.

"Develop a vertiport for vertical takeoff and landing vehicles (helicopters and eVTOLS) on the subject property. MCC 17. 136. 050(J)(4) authorizes as a conditional use on EFU land transportation facilities not otherwise allowed on EFU land pursuant to certain requirements".

Flying magazine summarizes the development of eVTOLS describing their use as a single pilot seat vehicle that *"can be flown without a certificate in the U.S."* (<https://www.flyingmag.com/one-seat-evtol-needs-no-certificate-to-fly-and-its-ready-for-piloted-tests/>)¹²

"With an empty weight below 254 pounds, Dragon qualifies as a Part 103 ultralight aircraft. That means it can be flown without a pilot certificate, but users will still need to follow ultralight regulations".

"Given the novelty of the design, safety will certainly be a concern for pilots. It's unclear how high Dragon will fly, but even an impact following a power or other failure from even a low altitude could end in disaster for the occupant. And with little knowledge required to operate it, inexperienced pilots and unfamiliar aircraft are likely to create a nasty cocktail."

Ultralight aircraft are defined and described by Pilots Institute, "What is an Ultralight Airplane", FAA Definition and Examples.¹³ Pilots Institute states that

"No pilot's license or aviation medical is required to fly an ultralight. This might appear to make them exceedingly attractive to many people. However, it is really not a good idea to just buy an ultralight and take it up in the sky and fly it, without any kind of knowledge or training. Ultralights may look simple, but any aircraft is a complicated machine requiring knowledge and skill to fly it safely."

Ultralight aircraft do not require a certification of air worthiness, do not have aircraft identification numbers, and are not equipped with instrumentation to identify the course of flight, altitude, airspeed, or other devices that would be required for operation adjacent to an airfield, i.e., Aurora State Airport.

Because of their maneuverability and quiet operation at low speed and low altitude Ultralight Aircraft have been used to avoid detection in armed conflict, illegal drug transport and other times when avoidance of radar detection would be an advantage.¹⁴

Hamas terrorists use improvised aircraft to infiltrate into Israel for mega-terror attack

WatchVideo: <https://www.youtube.com/watch?v=KF5vPfqtJBM>

October 7, 2023

"Video footage was released Saturday, showing how Hamas terrorists used improvised ultra-light aircraft to cross into Israeli territory for a massive attack that killed at least 300. According to The Telegraph, the makeshift planes acted also as dune buggies, allowing the terrorists to fly over the border fence with a parachute and large fan attached to help the vehicle fly, before landing behind Israeli lines. The terrorists then opened fire on Israeli troops guarding the border, paving the way for large numbers of infiltrators by land."

Therefore, to have eVTOLS operating directly adjacent to Aurora State Airport without certified pilots, without any equipment to identify where they are in relation to the airport, without a way to alert the pilot that they are in a restricted airspace, and without any communication with the Airport Control Tower would be an unnecessary risk to other pilots, personnel on the airport grounds, and private citizens living or farming nearby. In particular the proposed drones and helicopters will interfere with the use of drones for agricultural uses on the east side of Airport Road. This is a violation of Goal 3 and its implementing rules which preclude non-farm uses from significantly impacting operations on nearby farms.

Through The Fence Program (TTF)

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3458>

Oregon Department of Aviation, Chapter 738, Division 14 describes the rules of the through the fence pilot program.

<https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3458>

(6) "Through the fence operation" means a customary and usual aviation-related activity that:

(a) Is conducted by a commercial or industrial user of property, not owned by the airport sponsor, within an airport boundary; and

(b) Relies, for business purposes, on the ability to taxi aircraft directly from the property employed for the commercial or industrial use to an airport runway.¹⁵

Applicant's property is zoned EFU and continues to hold a TTF agreement with ODAV with respect to access to the Aurora State Airport facilities within those areas of the complex that are owned by the ODAV. This agreement is now voided by the fact that the Court of Appeals and LUBA reversed the Applicant's prior attempt to develop TTF uses on the property. (LUBA No. 2020-108)

In addition, the Applicant is once again applying for the use of the property to support commercial and industrial uses, while asserting it does not need to use the airport runway. Yet the Applicant is applying for a transportation facility that proposes to use the existing TTF agreement if the new master plan includes the property.

COMPARISON TO A FREEWAY REST STOP IN *Foland* IS INVALID

Application Narrative, Page 8 , Footnote 8

*"Applicant requests approval of the proposal based upon the analysis provided in these primary findings, which do not rely upon the presence of the Aurora State Airport (a transportation facility) to justify the exception. The Applicant also requests that the County also adopt alternative findings for the proposal in addition to the primary findings. The alternative findings should build upon the primary findings and further consider the presence of the Aurora State Airport to justify approval of the exception. The basis for adopting alternative findings draws from *Foland v. Jackson County*, supra, the proper interpretation and policy underpinnings of OAR 660- 012- 0060(5) and the Court of Appeals opining, without deciding, that OAR 660- 012-0060(5) probably does not apply to applications for a transportation facility. See, *Schaefer v. Marion County*, 323 Or App 390, 408, P3d _ (2022), Exhibit 6. As noted, in *Foland*, ODOT relied upon proximity to I-5a transportation facility) to justify a proposed transportation facility*

(a rest stop and welcome station) as a reason for granting an exception for the rest stop and related facilities on EFU zoned land. Foland v. Jackson County, 61 Or LUBA 264, 290 (2010), which decision was ultimately affirmed in Foland v. Jackson County, 70 Or LUBA 247 (2014). The Applicant requests approval of the alternative findings in addition to the primary findings."

In *Foland*, ODOT relied upon the proximity to I-5 to justify a proposed transportation facility (a rest stop and welcome station) as a reason for granting an exception for the rest stop and related facilities on EFU zoned land. The Applicant argues here that the *Foland* decision applies to their application for a transportation facility at Aurora State Airport. This Application does not apply to a rest stop and welcome station which only provides off road parking and bathroom facilities for travelers on extended trips along I-5. Rest stops are commonly found along our Interstate Highways throughout the nation. Sometimes they also provide restaurants, fueling stations and other amenities to provide some leisure activities while passengers, including restless minors, can refresh.

This Application is far more complex than a rest stop. This Application (Page 9) encompasses repair, long term storage, training and other uses on the property. For example,

"The proposed transportation facility relies in part upon the locationally specific need of Columbia Helicopters' operations for the exception. Likewise, the fact that Life Flight wishes to use the proposed transportation facility is distinct from the presence of the Aurora State Airport, where Life Flight's headquarters and primary airplane-oriented operation is located. Life Flight requires additional space near its headquarters for its rotorcraft operations and to consolidate its operations."

In other words, this application is an expansion of the existing Life Flight and Columbia Helicopters facilities at the airport. It is not an independent "transportation facility".

CONCLUSION

FoMC opposes this application and requests denial because:

1. eVTOLS are not designed to fly near a restricted airspace that requires sophisticated instrumentation to guide pilots away from that airspace, including communication equipment to prevent collisions with approved aircraft, take-off and landing instructions from the ACT, information about emergency conditions including weather related incidents or air traffic mishaps. eVTOLS, like ultra-light aircraft are not designed for use near an airport with an ACT that regulates and controls air traffic.

2. eVTOLS, like ultra-lights are unregulated aircraft, without a certified pilot, aircraft number, flight path, or operating altitude. These unregulated aircraft can be used for smuggling drugs, intentionally inflicting damage to persons or property and other criminal activity. They fly quietly at very low altitudes and therefore evade detection and disappear easily into the surrounding landscape.

3. The Applicant does not qualify this property for a TTF access to the ODAV controlled runway because the application is not qualified in *Foland* as a rest stop. The Applicant proposes a far more complex setting, including possible use by Life Flight, an operator of emergency services as a permanent use, which is, of course, a commercial use.

Sincerely,

Roger Kaye, Pres.
Friends of Marion County
(503)743-4567
rkaye2@gmail.com

EXHIBITS

1. Aurora Airport Public Workshop Poster, March 10, 2011
2. FoMC letter to Oregon Aviation Board, April 21, 2011
3. Chronology Master Plan ver.1, June 13, 2011
4. Chronology Master Plan ver. 2, June 16, 2011
5. Aron Faegre & Assoc. Well Water Arsenic Contamination, January 14, 2014, Page 1.
6. DLCD Notice of Denial or Withdrawal of a Proposed Change to a Plan or Land Use Regulation, LA13-1, January 22, 2014
7. Airport Control Tower Completion Ceremony, Pamplin Media, August 12, 2015

PART II - EXHIBITS

8. 2012 Master Plan - Public Advisory Committee Members, October 15, 2021
9. Planning Advisory Committee (PAC) Meeting #1, November 16, 2021
10. Letter from ODA Planning & Projects Mgr, October 13, 2021
11. Notice of rescheduling of 1/30/24 PAC Meeting, January 25, 2024

THE APPLICATION - EXHIBITS

12. One-Seat eVTOL Needs No Certificate to Fly—and It's Ready for Piloted Tests, Flying Magazine, August 24, 2023
13. What is an Ultralight Airplane, Pilot Institute, August 27, 2021
14. <https://worldisraelnews.com/watch-hamas-terrorists-use-improvised-aircraft-to-infiltrate-into-israel-for-mega-terror-attack/>
15. Through The Fence Program (TTF), <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3458>

Interested in the future of Aurora Airport?

1

Public Workshop Thursday, March 10

5:00-7:30 p.m.

North Marion
Intermediate School
20237 Grim Road NE
Aurora, OR 97002

For more information:

Christopher Cummings
Planning & Projects Manager
(503) 378-3168
Christopher.Cummings@state.or.us

The Oregon Department of Aviation has developed four possible alternatives for various improvements at the Aurora Airport, including a no-build option. Come learn about these options and provide your feedback to help shape the future of the Aurora Airport.



www.AuroraStateAirport.org



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Roger Kaye
President

Joe Kuehn
Vice-President

Richard van Pelt
Secretary

Susan Watkins
Treasurer

BOARD OF DIRECTORS

Laurel Hines
Carla Mikkelson
Linda Peterson
Kasia Quillinan

April 21, 2011

Oregon Department of Aviation
Oregon Aviation Board
3040 25th St. SE
Salem, OR 97302-1125

Dear Board Members & Staff,

Friends of Marion County is a non-profit 501C(3) affiliate of 1000 Friends of Oregon established in 1998. We have membership representing all corners of Marion County including strong farmer support in the Woodburn and Aurora farming communities.

In early summer of 2010 Chris Cummings asked that Friends of Marion County participate in the PAC process to help the ODA gather input to develop the masterplan for development at Aurora State Airport. The process whereby a governing authority develops a masterplan is familiar to our members since it is the common way decisions are made in the public sphere. Our members have participated in park, transportation, and re-development plans throughout the county.

At the first meeting of the PAC and subsequent meetings with staff we've come to realize that the Aurora State Airport Masterplan for the next 10 year period contains specific proposals which jeopardize the surrounding farmland. Specifically, there is a real threat to the ability of the farming community to successfully manage their operations with the possible extension of the airport runway to the South. We believe that passage along Keil Rd. will be threatened. Farmers operating in that area cannot operate with that kind of impediment.

We believe that the Aurora State Airport Masterplan should exclude this provision. With lengthening and concomitant strengthening, the airport will become an increasing threat to the community whose economy is very much connected to the health of its farming industry.

Thanks for listening.

Sincerely,

Roger Kaye, President
(503)743-4567
rkaye2@gmail.com

Aurora Airport Master Plan Chronology

Nov. 3, 2009	Oregon Department of Aviation (ODA) initiates Master Plan update for Aurora Airport with selection of WH Pacific as consultant. Public Kick-Off Meeting defines Master Plan outcome to include: Chapter 1 - Introduction Chapter 2 - Airport inventory Chapter 3 - Aeronautical Activity Forecast Chapter 4 - Facilities Requirements Chapter 5 - Airport Alternatives Chapter 6 - Airport Layout Plan Chapter 7 - Capital Improvement Plan
Date xx, 2010	ODA appoints Public Advisory Committee (PAC) comprised of airport users, representative of local municipalities and concerned citizens
July 22, 2010	PAC Meeting #1
Sep. 30, 2010	PAC Meeting #2
Dec. 9, 2010	PAC Meeting #3
Feb 17, 2011	PAC Meeting #4
March 10, 2011	Preferred Alternative presented to Oregon Aviation Board in Salem. Includes: change of ARC status from B-II to C-II, no expansion of physical size of airport, and no lengthening of runway "ODA has decided that any extension would prove infeasible at this time....An extension to the south might have a negative impact on farmland--a potentially environmentally infeasible situation."
April 2011	Aviation Board directs ODA staff to change Preferred Alternative and include options with runway lengthening of 600 or 800 feet.
April 28, 2011	"New" Preferred Alternative with two scenarios to lengthen the runway are presented to Oregon Aviation Board. ODA staff is instructed to present the Preferred Alternative to the PAC
June 7, 2011	ODA receives letter from FAA Seattle Regional Office that is will not support nor fund types of runway lengthening being considered and will only support a 1,000 foot runway extension
June 7, 2011	Preferred Alternative with two lengthening scenarios is presented to PAC at public meeting.

Missing:

1. Date and substance of protest letter submitted by sub-PAC members

Aurora Airport Master Plan Chronology

Nov. 3, 2009	Oregon Department of Aviation (ODA) initiates Master Plan update for Aurora Airport with selection of WH Pacific as consultant. Public Kick-Off Meeting defines Master Plan outcome to include: Chapter 1 - Introduction Chapter 2 - Airport inventory Chapter 3 - Aeronautical Activity Forecast Chapter 4 - Facilities Requirements Chapter 5 - Airport Alternatives Chapter 6 - Airport Layout Plan Chapter 7 - Capital Improvement Plan
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July 22, 2010	PAC Meeting #1
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April 2011	Aviation Board directs ODA staff to change Preferred Alternative and include options with runway lengthening of 600 or 800 feet.
April 28, 2011	"New" Preferred Alternative with two scenarios to lengthen the runway are presented to Oregon Aviation Board. ODA staff is instructed to present the Preferred Alternative to the PAC
June 7, 2011	ODA receives letter from FAA Seattle Regional Office that is will not support nor fund types of runway lengthening being considered and ODA responds with third Preferred Alternative Scenario for a 1,000 foot runway extension
June 7, 2011	Preferred Alternative with three lengthening scenarios (600, 800 and 1.000 feet) is presented to PAC at public meeting.

Missing:

1. Date and substance of protest letter submitted by sub-PAC members

January 14, 2014

5

Aurora Airport Water Control District
c/o Bruce Bennett
22785 Airport Road NE
Aurora, Oregon 97002

RE: ARSENIC LEVELS IN AIRPORT DRINKING WATER

Businesses at Aurora State Airport are finding significant problems with hazardous arsenic in their potable well water. Some of the wells are having tests significantly over the Environmental Protection Agency's standard of 0.010 mg/l. Other wells are currently somewhat below that standard but may be rising and going above the standard in the future. There are also differences in opinion about what safe levels are, with at least one standard being 0.005 mg/l which would result in more of the wells being out of compliance.

It is recommended that the airport businesses be allowed to connect to the City of Aurora water system, which has arsenic filters and will ensure that safe drinking water is available for all airport businesses in the future. There is not extensive data on arsenic levels in the various airport wells, but an email was sent out to airport businesses with a request for well data on arsenic and the following data was received:

The attached well test data shows that there is a variety of arsenic contamination levels in seven of the wells for which data could be received. It is noted that arsenic levels vary by season or use, and thus this limited data is likely not the worst case for each well.

Water test data is as follows:

1. Aurora Jet Center well, 14357 Keil Road NE, Aurora; May 22, 2013; Test Result 0.0124 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 24% above EPA health hazard limit.
2. Aurora Jet Center well, 14357 Keil Road NE, Aurora; March 30, 2011; Test Result 0.0136 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 36% above EPA health hazard limit.
3. Whiskey Hangar well, 14399 Keil Road NE, Aurora; May 22, 2013; Test Result 0.0082 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 18% below EPA health hazard limit.
4. Van's Aircraft well, 14401 Keil Road NE, Aurora; message from Shiloh Water Systems; Test Result 0.015 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 50% above EPA health hazard limit.
5. Columbia Helicopters well, 14452 Arndt Road NE, Aurora; November 12, 2013; message from Dan Riches at Columbia Helicopters; Test Result 0.008 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 20% below EPA health hazard limit.
6. Wylee Condominium Hangars, 23055 Airport Rd NE, Aurora; November 8, 2013; Test Result 0.0067 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 33% below EPA health hazard limit.
7. Oregon Department of Aviation well, Airport Rd NE, Aurora; November 8, 2013; Test Result 0.002 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 80% below EPA health hazard limit.
8. Aurora Airport Condo Association well, 14338 Stenbock Way, Aurora; September 21, 2012; Test Result 0.0017 mg/l arsenic; EPA limit 0.010 mg/l arsenic; 83% below EPA health hazard limit.



NOTICE OF A DENIAL OR WITHDRAWAL OF A PROPOSED CHANGE TO A PLAN OR LAND USE REGULATION

FOR DLCD

File No.:

Received:

6

Local governments are required to send notice of the denial or withdrawal of a proposed change to a comprehensive plan or land use regulation. (See OAR 660-018-0040(6)).

Jurisdiction: **Marion County**Local file no.: **LA13-1** Withdrawn Denied

Date of withdrawal or denial: 1/22/14

Reason for withdrawal or denial: To perform additional coordination before proceeding.

If a denial includes an order, resolution, or ordinance, include a copy with this form.

Date the Notice of a Proposed Change (Form 1) was sent to DLCD: 12/11/2013

Local contact person (name and title): Brandon Reich

Phone: (503)566-4175 E-mail: breich@co.marion.or.us

Street address: 5155 Silverton Road NE City: Salem Zip: 97305-

NOTICE OF DENIAL OF WHDRAWAL – SUBMITTAL INSTRUCTIONS

1. A Notice of Denial or Withdrawal must be submitted by a local government (city, county or metropolitan service district). DLCD will not accept a notice submitted by an individual or private firm or organization.

2. If a denial includes an order, resolution, or ordinance, include a copy of the instrument with this form.

3. **Hard-copy submittal:** When submitting a Notice of Denial or Withdrawal on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 3 on light green paper if available. Submit **one copy** of the form and other materials if applicable to:

Attention: Plan Amendment Specialist
Dept. of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

4. **Electronic Submittal:** Address e-mails to plan.amendments@state.or.us with the subject line "Notice of Proposed Amendment."

This form is available here:
<http://www.oregon.gov/LCD/forms.shtml>

5. **File format:** When submitting a Notice of Denial or Withdrawal via e-mail or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred), or Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx). For other file formats, please contact the plan amendment specialist at 503-934-0017 or plan.amendments@state.or.us.

Aurora Airport tower completed

Jake Bartman
Aug 12, 2015

1 of 3



Aurora State Airport tower project manager Heather Peck prepares to cut the ribbon with other Oregon Department of Aviation staff members at a ceremony on Aug. 4. SPOKESMAN PHOTO: JAKE BARTMAN

Aurora Airport officially introduced its new control tower to the public at a ribbon cutting event Aug. 4. The tower has been discussed for decades and its completion has been lauded as a major safety improvement to an airport that, according to Federal Aviation services, now sees around 260 flight operations — or aggregate takeoffs and landings — per day.

Although Aurora Airport's original master plan anticipated the need for a control tower to be built by 1978, opposition to the tower paired with lack of economic justification meant that Aurora had to wait many years before the tower was finally built.

"There was so much antidevelopment sentiment and there was no real call for the tower in those days. So they removed it from the plan," said Bruce Bennett.

Bennett is the President of Aurora Aviation, a company that charters flights and offers lessons to help pilots-to-be earn their wings. Bennett's father started the company in 1968, with Bennett himself learning to fly at Aurora Airport in 1974. Besides three years spent as a pilot in the Army, Bennett has been flying at Aurora ever since.



To Bennett, the addition of the tower is beneficial largely for the safety it offers to pilots. "The FAA (Federal Aviation Administration) measure is strictly in safety," he said. "(The tower) significantly improves safety."

The tower, which cost \$3.3 million to construct, stands 70 feet tall and boasts a floor plan of some 5,600 square feet. It was designed by M&H Architecture in St. Louis and constructed by Centrex Construction of Tigard. Funds came from the ConnectOregon bond initiative, which finances transportation projects across the state using revenue generated by the lottery.

Matt Moss, Oregon's state airports manager, touted the new tower for similar reasons. "The completion of the control tower at Aurora Airport is really a safety feature for the airports," Moss said.

The tower will increase safety at the airport because at present, the airspace around Aurora is what the FAA calls "uncontrolled airspace," meaning that there is no air traffic controller on the ground to communicate with pilots. Instead, pilots are responsible — though not required — to communicate their altitude and location with one another by radio as they approach the airport.

But uncontrolled airspace can be dangerous when visibility is poor because pilots often can't tell whether or not the runway is clear of, for example, crews responsible for maintaining the runway. Moreover, Bennett noted that "At Aurora, you could fly in without a radio. ... You could legally do that." Even if that situation isn't common, its plausibility hints at some of the risks associated with uncontrolled airspace — risks which are compounded as an airport grows in size to the point that Aurora has.

Once the tower is fully operational, which Moss says will likely be around Oct. 1, the airspace around Aurora Airport will be upgraded to Class D airspace — meaning that pilots will be legally obligated to communicate with air traffic controllers before landing. This requirement should make for a much safer airport with the risk of collisions reduced significantly.

In the meantime, the FAA will conduct an airspace analysis to transition to the new airspace class. By Sept. 1, air traffic controllers will begin to operate the tower in an advisory capacity, although they must wait until around Oct. 1 for the official transition to Class D airspace. After the official transition takes place, controllers will possess the legal authority to direct all operations into and out of the airport.

Moss foresees several benefits related to this new requirement that extend beyond safety. In 2013, the FAA approved a flight pattern that would prevent inbound pilots from flying over Charbonneau or Wilsonville. Moss pointed out that visiting pilots who might not be familiar with local custom might violate these rules, and could do so legally. With the tower in place, pilots within a five-mile range of the airport can be instructed to approach in a way that avoids residential areas, and will be legally obligated to oblige. Moss said that this should reduce the volume of noise experienced by the local community.

"I think that residents who live around the airport are going to notice quite a change when the controllers are in place," Moss said.

Moss's claim runs counter to the concerns articulated by some residents, who have worried that the tower will increase traffic to the airport and lead to more noise. Bennett said that these concerns are ill-founded.

"A lot of people think that just because there's a tower here, people are going to fly here," Bennett said. He said that that's not the reason people fly to Aurora: instead, "They fly here because they have business here."

Moss felt similarly, and said that the tower will affect the type of aircraft that fly at Aurora more than it affects the number. "Pilots that fly small aircraft generally don't want to talk to control towers," Moss said. "It's a lot more cumbersome."

This means that larger aircraft may increasingly decide to touch down at Aurora. But Bennett said that larger aircraft aren't necessarily louder, and that many larger aircraft are in fact quieter and more fuel-efficient than smaller ones.

However, that doesn't mean passenger jets will start flying into Aurora. "People have visions of (Boeing) 747s and fighter jets... But that's not Aurora," Bennett said. According to Bennett, Aurora will never play host to commercial airlines, even with the tower addition.

Bennett also said that he foresees "very little" economic benefit to the area around Aurora because of the tower addition. Brandi Ebner, Interim Director of Wilsonville's Chamber of Commerce, feels differently.

"There are a number of businesses who've said they would come to Wilsonville if the airport could handle their aircraft," Ebner said. "That would be a huge economic benefit to Wilsonville." And Ebner added that a company could hypothetically be interested in relocating its aircraft operation to Aurora Airport once the airport can safely handle increased traffic from private aircraft.

"We've had a lot of fantastic companies move to this part of the state, and it's becoming economical for a lot of companies to have private aircraft," said Ebner.

Ebner also said that the tower addition could be a step toward making other necessary improvements to the airport — for example, a runway extension, which has long been a matter of discussion in the community.

"ODA (Oregon Department of Aviation) are looking at various packages and prices," said Ebner of the runway extension.

Bennett said that concerns about the possibility of a longer runway are, like concerns about the tower, overblown. "That's actually another classic case of misinformation," he said. "People think that a longer runway means more noise. But you can take off with less power on a longer runway and be quieter."

Contact Jake Bartman at 503-636-1281 ext. 113 or jbartman@pamplinmedia.com.

2012 Master Plan – Public Advisory Committee

Mitch Swecker discussed the Public Advisory Committee (PAC), which is still being developed. The PAC will represent members who have varying interests in the Airport. Current members of the PAC represent Marion County, Clackamas County, City of Aurora, City of Wilsonville, Aurora Fire District, Airport Fixed Base Operators (3), Oregon Department of Aviation, Charbonneau, and Deer Creek. Four at-large representatives will be selected for the following groups: Community Representative, Airport Business,

On UAO MP_Kick-Off Mtg Summary (11-03-2009).docx page 4 of 6 Airport Tenant, and Off-Airport Tenant. A review panel, consisting of four ODA employees, will conduct a blind review to select the at-large PAC representatives based on application responses. If interested in serving as an at-large representative, please complete the application posted at www.aurorastateairport.org. Applications for the at large positions are due by November 17, 2009.

Mr. Anderson reminded attendees the PAC is an advisory committee to ODA and ODA has final authority over the Master Plan. If serving on the PAC, members are asked to provide input to help produce a plan that balances a wide range of airport stakeholder needs and concerns; bring forward comments and concerns of those they represent; and help disseminate accurate information about the plan.

PAC Members

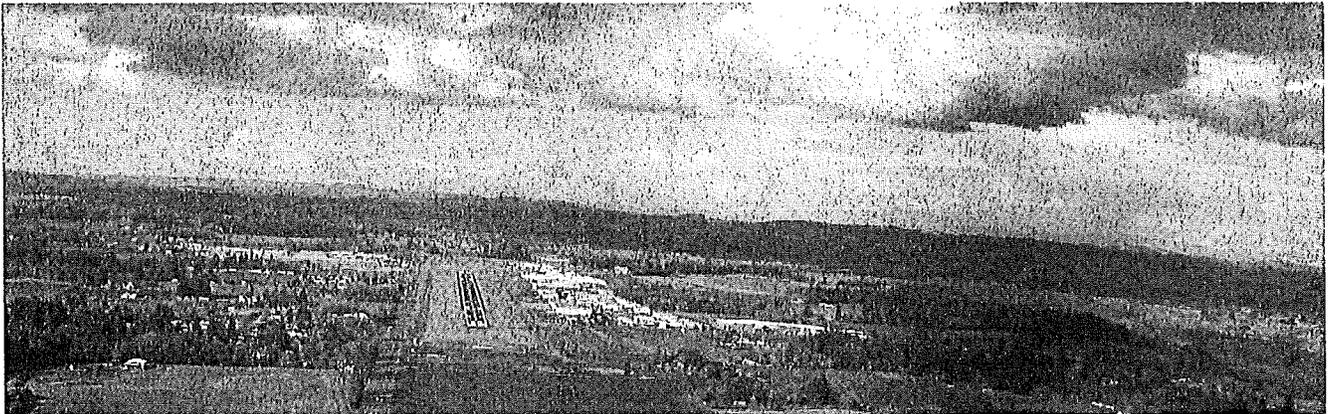
- Bruce Bennett – Aurora Aviation
- Jim Bernard – Clackamas County Board of Commissioners
- Jim Hansen – On-Airport / Tenant
- Tony Helbling – Off-Airport / Tenant & Business (Wilson Construction Co)
- John Henri – City of Canby
- Tony Holt – Charbonneau Country Club
- Steve Hurst – City of Wilsonville
- Nick Kaiser – Community
- Roger Kaye – Friends of Marion County
- Rick Kosta – Deer Creek Estates
- James Melrow – City of Aurora
- Ted Millar – Aurora State Airport Business – Southend Airpark
- Patty Milne – Marion County Board of Commissioners
- Fred Netter – Aurora Fire District

- Dan Riches – Columbia Helicopters
- Scott Starr – Wilsonville Chamber of Commerce
- Mitch Swecker – Oregon Department of Aviation
- David Waggoner – Willamette Aviation
- Craig Wilmes – Aurora Jet Center



Aurora State Airport

AIRPORT MASTER PLAN UPDATE PUBLIC MEETING



Planning Advisory Committee (PAC) Meeting #1



Tuesday, November 16, 2021
3:00pm-5:00pm

The first PAC meeting will be held on November 16, 2021. This meeting will provide an opportunity for the PAC, community, neighbors, and other project stakeholders to learn about the Airport Master Plan project and the vision for the Airport over the next 20-years.



Due to social distancing measures and the inability to meet in person, this PAC Meeting will be held via telephone and internet through Zoom. Please register for the online Zoom PAC meeting by scanning the QR code or visiting: https://us02web.zoom.us/webinar/register/WN_0gAyj8zMSMmC-ErrQAH0hQ

Airport planning work products will be available at: <https://publicproject.net/AuroraAirport>

For Additional Information Contact:

Sarah Lucas, ODA Aviation Planner
Oregon Department of Aviation
503-378-2211
sarah.lucas@aviation.state.or.us



Oregon

Kate Brown, Governor

Oregon Department of

3040 25

Salem, OR 97331

Office: 503-378-4000

Fax: 503-373-1688

10



TO: Aurora State Airport Master Plan
Planning Advisory Committee (PAC) Members

CC: Betty Stansbury, ODA Director; Martha Meeker, Oregon Aviation Board Chair; Anthony Beach, State Airports Manager

FROM: Heather Peck, ODA Planning & Projects Manager

DATE: October 13, 2021

SUBJECT: Welcome Packet

On behalf of the Oregon Department of Aviation (ODA), I want to express our gratitude for your time commitment to this project and its process. We are happy that you have volunteered to be a part of this project and we look forward to the many public meetings to come. At this time, we are working towards our first PAC Meeting, to be held **virtually on November 16, 2021 from 3:00 pm to 5:00 pm**. The email, which this memo is attached, outlines the process for you to register for the meeting. Please register to ensure you receive the meeting link. In the meanwhile, we are providing you with the following information to help you better understand the upcoming process.

The primary goal of the airport master planning process is to provide the airport and its sponsor (owner) with a comprehensive plan that can be used to secure funding, improve facilities as needed, and continue to operate as an important asset to the community. Of course, this can't be done without the airport tenants, through the fence owners, airport businesses, and surrounding community. Public outreach is an integral part of this process and all master planning processes. Through PAC meetings, public meetings, and open houses we hope to encourage and facilitate real discussion. There will be a formal process for all comments and questions. A fully transparent planning process will be recorded as a part of this project and help to facilitate the understanding of an airport facility and this specific airport facility.

Additionally, to ensure you receive all communications in a timely manner, please confirm the contact information we have on file for you, as well as any Designated Alternate (if requested), is correct and accurate. If we do not receive corrections to the listings below, we will assume the information is acceptable to you.

Organization:	1000 Friends of Oregon
PAC Designee and Title:	Roger Kaye, President, Friends of Marion County
Designee Email:	rkaye2@gmail.com
Designee Address:	P.O. Box 3274, Salem, OR 97302
Designee Phone:	503-743-4567
Alternate Name and Title:	None Designated
Alternate Email:	--
Alternate Address:	--
Alternate Phone:	--

Aurora PAC 1/30 meeting to be rescheduled

1 message

Brandy Steffen <brandy.steffen@jla.us.com>
To: Brandy Steffen <brandy.steffen@jla.us.com>

Thu, Jan 25, 2024 at 5:28 PM

Hello everyone,

It was brought to our attention that a few of the links on the Aurora Airport Master Plan project website were not accurate and documents that will be discussed at PAC Meeting #4 were not available for everyone to review. We apologize for this error.

In order to ensure that everyone has ample time to review all relevant documents **we are rescheduling the Tuesday, January 30th PAC meeting.** We will notify you with the new date soon, as well as posting it to the website.

We apologize for any inconvenience.

Thanks,
Brandy



BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Strategist + Partner
She/Her » Why pronouns matter
brandy.steffen@jla.us.com » 503-235-5881 » jla.us.com
Woman-led, community-centered, for 35 years and counting

Meeting + email hours 9 a.m.–5 p.m. Monday–Thursday. Administrative-only hours on Friday

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Tuesday, January 23, 2024 1:27 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Subject: Aurora Airport PAC meeting next Tuesday (1/30 from 5-7 pm) - VIRTUAL

Hello everyone! We're looking forward to seeing you all (virtually) next week. Below are the details and feel free to reach out if you have any questions.

Date/Time: Tuesday, January 30, 2024 from 5-7 p.m.
Location: Zoom

- PAC members will be registered via Zoom and you'll get an email directly from Zoom with the login information. Please do not forward this email to anyone.
- Others can register for the meeting under their own names at: <https://bit.ly/UAO-AMP-PAC4>

Materials: Just a reminder that meeting materials are also posted on the website: <https://publicproject.net/AuroraAirport#>

- Agenda (attached)
- Approved Forecast (posted on the website)

Thanks,



BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Strategist + Partner
She/Her » Why pronouns matter
brandy.steffen@jla.us.com » 503-235-5881 » jla.us.com
Woman-led, community-centered, for 35 years and counting

Meeting + email hours 9 a.m.–5 p.m. Monday–Thursday. Administrative-only hours on Friday

From: Brandy Steffen
Sent: Wednesday, January 17, 2024 11:16 AM
Subject: Aurora Airport PAC meeting on Tuesday, January 30

Hello PAC Members,

It's been a while since we have met for the Aurora State Airport Master Plan Project. We are looking forward to our next **Planning Advisory Committee (PAC) meeting** on Tuesday, January 30 from 5-7 p.m. During this virtual meeting, we'll center ourselves on the work that has been happening since we last met as well as review the final FAA Approved Forecast.

Date/Time: Tuesday, January 30, 2024 from 5-7 p.m.
Location: Zoom

- PAC members will be registered via Zoom and you'll get an email directly from Zoom with the login information. Please do not forward this email to anyone.
- Others can register for the meeting under their own names at: <https://bit.ly/UAO-AMP-PAC4>

Materials: Just a reminder that meeting materials are also posted on the website: <https://publicproject.net/AuroraAirport#>

- Agenda (attached) Approved Forecast (posted on the website)

Please let me know if you have any questions and I look forward to seeing you all on Tuesday, January 30, 2024.

Thanks,
Brandy



BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Strategist + Partner
She/Her » Why pronouns matter
brandy.steffen@jla.us.com » 503-235-5881 » jla.us.com
Woman-led, community-centered, for 35 years and counting

Meeting + email hours 9 a.m.–5 p.m. Monday–Thursday. Administrative-only hours on Friday
Check my availability » Schedule a 30 minute check-in
Email is the best way to reach me; I try to respond within 1 workday.

One-Seat eVTOL Needs No Certificate to Fly—and It's Ready for Piloted Tests

Rotor X Aircraft has completed hundreds of unmanned flights of its kit-built, ultralight Dragon and is ready to add the pilot.

By Jack Daleo
August 24, 2023

There are thousands of Americans who have the flying bug but lack the time or energy to put in the hundreds of hours needed for a pilot certificate. But if they have the money, a personal aircraft for which the pilot needs no certification to fly just came closer to entering production.

Rotor X Aircraft, a 50-year-old manufacturer that primarily produces two-seat experimental kit helicopters, announced it will soon begin piloted flight testing of its preproduction Dragon: an ultralight, build-it-yourself, electric vertical takeoff and landing (eVTOL) design that can be flown without a certificate in the U.S.

The Chandler, Arizona-based company on Thursday shared a video of Dragon's final unmanned flight tests, which took place earlier in the month. The preproduction prototype, unveiled to the public at EAA AirVenture in July, can be seen taking off, hovering, and cruising at low altitude over the Arizona desert. Not pictured are a ballistic chute and safety cage that will be included on the final production model.

According to Rotor X, these flights cleared the way for crewed testing to begin in early September. After that, the company plans to begin mass producing Dragon in March—if all goes well. Customers can pay a deposit of \$19,500 to add their name to the preorder list. Deliveries are expected to begin next spring, and the full price of just under \$90,000 will be due once they arrive.

Too Good to be True?

There are a few aircraft designs out there today that can be flown without a pilot certificate, such as the Aerolite 103, Quicksilver MX 103, or Phantom X1. But none have eVTOL capabilities.

So far, the FAA has struggled to chart the path for training and certifying eVTOL pilots. With Dragon, those prospective aviators may not need to worry about that portion of federal rulemaking, at least.

For more than 50 years, Rotor X has produced low-cost, lightweight experimental helicopter kits. Its flagship product is the Phoenix A600 Turbo, launched after the 2021 acquisition of helicopter manufacturer RotorWay, with varying levels of success. But in December the firm made its entry into eVTOL with the reveal of Dragon and the opening of preorders.

The design has some of its roots in military technology, having been borne out of an agreement with AFWERX, the innovation arm of the U.S. Air Force. The contract was owned by defense aircraft manufacturer Advanced Tactics, which was enlisted to build an inexpensive, high-performance, multirotor aircraft for the military.

The company soon realized the design's commercial potential and partnered with Rotor X in 2021. Leveraging its expertise in military engineering concepts, it has provided personnel and funding to help Rotor X develop and eventually sell Dragon.

With an empty weight below 254 pounds, Dragon qualifies as a Part 103 ultralight aircraft. That means it can be flown without a pilot certificate, but users will still need to follow ultralight regulations. Rotor X will teach customers to fly the aircraft and familiarize them with operational rules at training locations nationwide, including in California, Arizona, and Texas.

The one-seat, all-electric personal air vehicle, or PAV, as Rotor X refers to it, can carry a single passenger weighing up to 250 pounds. It can fly as long as 20 minutes at around 63 mph (54 knots) and recharges in under two hours. The power system relies on swappable, independent battery packs—controlled by redundant flight controllers—which can extend flight time.

Safety features include energy-absorbing helicopter landing gear, a ballistic parachute, a safety cage, and eight redundant independent motors with enough power to keep Dragon in flight even if two of them fail. Its power system, which includes coaxial propellers, can hover or navigate safely to the ground in the event of a battery, electrical, or motor failure.

Dragon is also equipped with automatic takeoff, landing, and hover maneuvers, and can switch from cruise to hover without pressing a button. Its fly-by-wire configuration uses simplified flight controls in the form of a three-axis joystick.

In action, Dragon is about 8 by 6.5 by 6.5 feet in size. But the aircraft can fold to fit in the bed of a pickup truck.

Rotor X bills Dragon as a "quick-build kit," which it claims—incredibly—can be assembled over a weekend. Customers can place deposits on the Dragon product page—after the first 100 preorders, the final price will rise from \$89,500 to \$99,000.

Given the novelty of the design, safety will certainly be a concern for pilots. It's unclear how high Dragon will fly, but even an impact following a power or other failure from even a low altitude could end in disaster for the occupant. And with little knowledge required to operate it, inexperienced pilots and unfamiliar aircraft are likely to create a nasty cocktail.

Perhaps counterintuitively, ultralight aircraft appear to have a lower accident rate than general aviation aircraft, according to some reports. However, ultralight aircraft do not fly as fast or as high, nor are they exposed to weather in the same way as more capable aircraft. And, a significant portion of those accidents involved pilots with few flight hours, which figure to make up the majority of Dragon flyers. Homebuilt aircraft, meanwhile, have relatively similar accident rates to GA aircraft overall.

In the future, Rotor X is looking to develop a two-seat Dragon variant to be used in pilot training. Additionally, it and Advanced Tactics have shared designs for Barracuda, a high-speed VTOL (HSVTOL) for military and commercial applications that is expected to fly three times faster and four times farther than the HH-60 Pave Hawk currently used by the Air Force.

The partners also revealed a passenger eVTOL concept called RX eTransporter. That design would carry up to six passengers and two pilots and fly up to 230 miles (200 nm) at 140 mph (121 knots).

What is an Ultralight Airplane? FAA Definition and Examples

The term 'Ultralight' is often misused. It always refers to a very small light aircraft, but the exact definition depends to a large extent on where you live. In many countries the terms 'ultralight' and 'microlight' are used interchangeably, and even in the US there is a lot of confusion as to what kind of flying machine is actually an ultralight. But in fact, an ultralight in the US has a very specific definition and very definite rules relating to its operation.

So what exactly is an ultralight? Do you need any type of pilot's license to fly one, and what restrictions are placed on them? Are they cheap and fun to fly, and perhaps most importantly, are they safe?

We will now take a look at the answers to all these types of questions...

FAA Definition of an Ultralight

The FAA definition of an ultralight aircraft is governed by FAR part 103, which states exactly what type of aircraft can be called an ultralight...

An ultralight has only one seat, is only used for sport or recreational flying, and does not have a US or foreign airworthiness certificate.

Ultralights can be powered or unpowered. If unpowered, they should weigh less than 155 pounds. If powered, they weigh less than 254 pounds empty, have a fuel capacity not exceeding 5 US gallons, are not capable of a speed above 55 knots at full power in level flight, and have a power off stall speed which does not exceed 24 knots.

As will be clear from this definition, there will be many small aircraft flown for fun which cannot actually be defined as ultralights.

Do You Need a Pilot's License to Fly an Ultralight?

No pilot's license or aviation medical is required to fly an ultralight. This might appear to make them exceedingly attractive to many people. However, it is really not a good idea to just buy an ultralight and take it up in the sky and fly it, without any kind of knowledge or training.

Ultralights may look simple, but any aircraft is a complicated machine requiring knowledge and skill to fly it safely.

The United States Ultralight Association (USUA) strongly advises anyone planning on taking up ultralight flying to obtain some instruction from a certified ultralight flight instructor. This even applies to people who already hold a private pilot's license. This is because ultralights are very different from other aircraft, and have their own flying characteristics that pilots of conventional aircraft may well not be aware of.

However, even if you have no previous flight experience, the USUA claims that you will require far fewer instructional hours to learn to fly an ultralight than you would to fly well enough to obtain a private pilot's license. The average is likely to be between 10 and 20 hours, as opposed to the 40+ hours needed for a PPL.

Where and for What Purposes Can You Fly an Ultralight?

The FAA places a number of restrictions on the operation of ultralights. They can only be used for sport and recreational use, and only during daylight hours. They must be flown by a single person – which should be obvious since they are single seat aircraft! They cannot be flown over congested areas, ie towns and cities, and operations in controlled airspace and restricted areas always require prior permission. All other aircraft have right of way over ultralights, and they must always be flown using visual references, which means they are a good weather type of aircraft. There is no such thing as an instrument rating for an ultralight!

These might seem fairly restrictive to some people. However, if you are planning on flying purely for fun, the restrictions are unlikely to present major problems.

Are Ultralights Safe?

Being so small, ultralights might look dangerous, and perhaps this is why at one time they developed a reputation for not being safe to fly. But the facts present a somewhat different picture. In fact, ultralights are not responsible for many fatal accidents, and really cannot be described as dangerous.

Having said that, ultralights, like any aircraft, are only as safe as the builders and operators who make them, and also the pilots who fly them. This is the reason for the strong recommendations to undertake training from an ultralight instructor before taking to the skies in your own ultralight..

However, in general, lower speeds, lighter vehicle weights, and the recreational nature of ultralight flying results in greater inherent safety. When accidents do occur, the causes are similar to those of all other aviation accidents, with lack of instruction and human error being the main reasons.

The conclusion is clear. Ultralights, if flown sensibly, are no more dangerous than any other type of aircraft.

What are the Advantages and Disadvantages of Ultralights, Compared to Conventional Light Aircraft?

For many people, the main advantages of ultralights are that there are fewer rules and restrictions concerning their operation. Not needing a license or a medical certificate means that individuals who struggle with exams, or who might find it difficult to get an aviation medical certificate (but can still fly an ultralight safely) are definitely a bonus for some people. So if you are wanting to fly purely for fun, ultralight flying might seem to be an easy way to get airborne, rather than undertaking the long and fairly onerous training towards a private pilot's license.

The disadvantages, of course, are that ultralight pilots are restricted to flying ultralights for recreation and only in the daytime, plus the fact that they are single seater aircraft. If at some point in the future you want to do more with your flying, or take up passengers, you could find these restrictions to be a nuisance.

Many people think that ultralights will be significantly cheaper to fly than ordinary light aircraft. Of course the training will be cheaper, since you will not need all the hours of flying and ground school training which are required for the PPL. But flying an ultralight once you know how to do so is not necessarily cheaper than ordinary light aircraft flying, at least according to the USUA. So if low cost is your main reason for thinking about ultralight flying, maybe think again. You could perhaps be better off getting the less restrictive PPL.

What About Two-Seater Ultralights?

Two-seater ultralights do exist, but are only used for instructional purposes. To fly one you will need a regular recreational or private pilot's license, and both the ultralight and the pilot will operate under different rules. You cannot just buy a two-seater ultralight and go and fly it!

And Finally....Are Ultralights Fun to Fly?

The answer is an unqualified yes! Pilots who fly ultralights tend to love them and have no desire to move on to any other type of aircraft. They like the 'wind in your face' experience, and the ability to fly 'low and slow' if you choose to do so. Ultralight flying is basic flying, just like in the dawn of aviation, pure 'stick and rudder' flying. Ultralights are described as being just pure, plain fun, and are quite addictive.

So why not find an ultralight instructor, take an introductory lesson, and find out if ultralight flying is for you.

WATCH: Hamas terrorists use improvised aircraft to infiltrate into Israel for mega-terror attack

© October 7, 2023

Video footage was released Saturday, showing how Hamas terrorists used improvised ultralight aircraft to cross into Israeli territory for a massive attack that killed at least 300.

According to *The Telegraph*, the makeshift planes acted also as dune buggies, allowing the terrorists to fly over the border fence with a parachute and large fan attached to help the vehicle fly, before landing behind Israeli lines.

The terrorists then opened fire on Israeli troops guarding the border, paving the way for large numbers of infiltrators by land.

Israel war: Hamas used motor-powered hang gliders to infiltrate Israel



Oregon Department of Aviation

Chapter 738

Division 14

THROUGH THE FENCE PILOT PROGRAM

738-014-0010

Through the Fence Pilot Program: Purpose and Policy

OAR 738-014-0010 through 738-014-0060 Implement ORS 836.640 and 836.642 (Or Laws 2005, ch 820). The policy of the State of Oregon is to encourage and support the continued operation and vitality of Oregon's airports. These rules establish a pilot program at up to three rural airports to encourage development of through the fence operations designed to promote economic development by creating family wage jobs, by increasing local tax bases and by increasing financial support for rural airports.

Statutory/Other Authority: ORS 835.035, 836.642, sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005.

History:

AVIA 3-2006, f. 6-27-2006, cert. ef. 7-1-06

738-014-0020

Definitions

In addition to the terms defined in OAR 738-005-0010, for purposes of OAR 738-014-0010 through 738-014-0050, the following definitions apply:

- (1) "Airport boundary" is the geographical line around the airport as indicated in the airport layout plan. The areas that may be included in the airport are described in OAR 660-013-0040(1).
- (2) "Customary and usual aviation-related activity" includes activities described in ORS 836.616(2) and includes activities that a local government may authorize pursuant to ORS 836.616(3).
- (3) "Facility site plan" means a plan showing the boundary of a proposed through the fence operation, and indicating infrastructure requirements, building layout and operational plans.
- (4) "Pilot site" means a rural airport selected to participate in the pilot program pursuant to OAR 660-014-0030 and the Aurora State Airport.
- (5) "Rural airport" means an airport described in ORS 836.610(1) that principally serves a city or standard metropolitan statistical area with a population of 75,000 or fewer.
- (6) "Through the fence operation" means a customary and usual aviation-related activity that:
 - (a) is conducted by a commercial or industrial user of property, not owned by the airport sponsor, within an airport boundary; and
 - (b) relies, for business purposes, on the ability to taxi aircraft directly from the property employed for the commercial or industrial use to an airport runway.

Statutory/Other Authority: ORS 835.035, 836.642 & sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005

History:

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738-014-0030

Selection of Volunteer Pilot Sites

(1) Airport sponsors interested in participating in the pilot program must make written application to ODA. ODA will establish the application form and deadline for applications.

(2) The application shall include:

(a) a letter from the governing body of the county in which each rural airport is located. The letter shall state the governing body concurs with the sponsor's request to be a pilot site and is prepared to assist in the amendment of comprehensive plans and land use regulations, if necessary, as required by ORS 836.642 and OAR 660, division 13 (Department of Land Conservation and Development rules governing airport planning);

(b) a description of how the airport sponsor intends to encourage through the fence operations at the rural airport;

(c) a complete narrative description of public-private partnerships the sponsor intends to pursue, and how the partnerships would promote:

(1) Innovative and creative technologies for increasing airport usability and safety;

(2) Innovative and creative performance of aviation services to make the services more competitive and useful for the public;

(3) Development of the pilot site as a setting for customary and usual aviation-related activities to develop and thrive; and

(4) Shared responsibility for:

(A) Establishing and meeting the fiscal needs of the pilot site;

(B) Maintaining safety of operations; and

(C) Maintaining positive community relations and compatibility with existing uses.

(D) a description, to the extent practicable, of the types of innovative airport infrastructure and operations funding that will be sought to support the pilot airport; and

(E) a statement of the sponsor's willingness to participate in the pilot program evaluation process described in OAR 738-014-0035.

(3) ODA will review all applications submitted by the deadline, and rank the applications that meet the minimum requirements of these rules according to their ability to meet the goals of this pilot program and the quality of the application. ODA will submit its list of eligible airports in ranked order to the State Aviation Board.

(4) The State Aviation Board will review the applications and may select up to two airports for inclusion in this pilot program.

(5) Aurora State Airport is included in the pilot program as provided in ORS 836.642(2)(a).

Statutory/Other Authority: ORS 835.035, 836.642 & sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & sec. 4, ch. 820 & OL 2005

History:

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738-014-0035

Pilot Program Evaluation Process

(1) The pilot program implemented by these rules is intended to support Oregon's economic development through encouragement of through the fence operations at certain pilot airports. The ODA will prepare annual written evaluations of the program and present its evaluation to the State Aviation Board and other interested persons at the first State Aviation Board meeting after July 1, beginning July 1, 2007. Airport sponsors of pilot sites will cooperate with the evaluation and provide the information needed to complete the evaluation.

(2) The evaluation shall include, but need not be limited to, the following information:

(a) Identify and describe the new through-the-fence operations located at the pilot site and the number of jobs at each business. Describe the origin of each new business (start-up, relocated from another location in Oregon, relocated from a location outside Oregon) and the net change in employment from the previous location, if applicable. Describe other economic benefits of each through-the-fence operation, if applicable.

- (b) Describe efforts by the airport sponsor to plan for and encourage airport development. Include a review of the sponsor's efforts to obtain innovative sources of financing for infrastructure and operations, as described in ORS 836.642(6).
 - (c) Describe efforts by the local community, including the jurisdiction responsible for land use planning for the pilot site and local economic development agencies, to plan for and encourage airport development.
 - (d) Analyze ODA's costs for the pilot program during the evaluation period, including both costs associated with the Aurora State Airport as a pilot site and the general costs associated with the pilot program.
 - (e) Evaluate ODA expenditures at pilot site airports compared to other public airports.
 - (f) Report on the local planning and land use issues that arose with respect to the pilot program.
 - (g) Evaluate the impact of the pilot program on the efficiency of airport management and operations at each pilot site.
 - (h) Evaluate the impact of the pilot program on security for each pilot airport.
- (3) ODA may also solicit written comments from the Federal Aviation Administration (FAA) and the Transportation Security Administration (TSA) and shall include those comments in the evaluation if received. ODA shall invite public comment on the pilot program and include the public comment in the final evaluation presented to the State Aviation Board.

Statutory/Other Authority: ORS 835.035, 836.642 & sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005

History:

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738-014-0040

Revisions to Airport Facility Plans to Accommodate New Through the Fence Operations at Pilot Sites

- (1) Each pilot site sponsor shall work with the appropriate local government to amend its Airport Layout Plan as necessary to address proposed new through the fence operations. Amendments must conform to ORS 836.610(1) and OAR chapter 660, division 13 (Airport Planning).
- (2) The Oregon Department of Aviation may assist the pilot site airport sponsor in the development of the Airport Layout Plan by providing aviation planning advice, and by assisting in the coordination of involvement with the appropriate local government, state and federal agencies, including the Department of Land Conservation and Development, and the Economic and Community Development Department.
- (3) Upon submittal of the appropriate land use applications, the county and city (if any) within whose jurisdiction a pilot site is located shall consider amendments to comprehensive plans and land use regulations, including zoning classifications pursuant to ORS 836.600 to 836.630, if necessary, to accommodate the pilot site through the fence operations.

Statutory/Other Authority: ORS 835.035, 836.642 & sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005

History:

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738-014-0050

Standards and Guidelines for Through the Fence Operations

The airport sponsor of a pilot site shall create a "Through the Fence Operations" operating plan for their airport, to accompany the Airport Layout Plan. The "Through the Fence Operations" operating plan shall include the following:

- (1) Identify current operating costs and revenues for the pilot site airport. Describe how the through the fence operations will provide financial support to the pilot sites in compliance with FAA regulations.
- (2) Require each through the fence operation to submit a facility site plan for its own property to the airport sponsor. The through the fence operation, in cooperation with the airport sponsor, then may proceed to seek any necessary land use approval from the appropriate local government. Any such approval must be made in compliance with statewide land use planning requirements. If the facility site plan is approved by the appropriate local government in compliance with applicable statewide land use planning requirements, the facility site plan shall be incorporated into the local government's airport plan and airport boundary.
- (3) Require that each through the fence facility only be permitted to operate through a written contract with the airport sponsor that includes:

(a) Financial charges, including fuel flowage fees if applicable, that provide equitable and uniform treatment of all airport tenants and users at pilot sites.

(b) An approved development plan for the through the fence property.

(c) Aviation safety rules for the airport, and rules that facilitate the orderly management of the pilot sites.

(d) Identify the airport's role in Oregon's emergency response system, and the through the fence facility's role (if any) in assisting in maintaining these characteristics;

(e) Identify investments in pilot sites and the level of service provided by pilot sites, and the through the fence facility's role (if any) in assisting in maintaining these characteristics.

(f) Facilitate and foster good relations with the communities surrounding the pilot sites, including, for example, adhering to established airport noise abatement procedures, and adjusting operations as needed to cooperate with public community events which may occur at the airport from time to time.

Statutory/Other Authority: ORS 835.035, 836.642 & sec. 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005

History:

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738-014-0060

Airport-related Economic Development for the Community

(1) The pilot site airport sponsor shall coordinate with its county (and city if applicable) economic development departments to advance local economic development through qualified customary and usual aviation related activities within the airport boundaries of pilot sites. The development shall encourage well-ordered economic development within the airport boundaries of the pilot sites.

(2) Airport sponsors shall encourage, to the extent practical, the use of innovative funding and economic development programs at the airport to assist in developing financial self-sufficiency of the airport, including but not limited to the programs described in ORS 836.642(6).

(3) The Economic and Community Development Department shall assist the pilot sites to:

(a) Identify, qualify for and apply for funding from appropriate grant and loan programs; and

(b) Develop innovative short-term and long-term funding opportunities.

Statutory/Other Authority: ORS 835.035, 836.642 & Section 4, ch. 820 & OL 2005

Statutes/Other Implemented: ORS 836.640, 836.642 & ch. 820 & OL 2005

History:

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