

CHAPTER EIGHT: POLICIES AND PRIORITIES

This chapter provides direction and guidance to the Kansas Department of Transportation (KDOT) Division of Aviation for implementing the Division's mission and goals for aviation transportation.

As highlighted throughout this study, the Kansas Airport System Plan (KASP) uses a strategic approach to identify and evaluate the needs of the Kansas airport system over the next 20 years. The primary goal of the system plan is to provide a framework that supports informed decisions related to planning and developing the state's aviation system, which is considered to be an asset. These decisions play an important role in assisting the system to meet Kansas' transportation needs.

Direction for the airport system that serves Kansas has been developed in concert with the Kansas Long Range Transportation Plan (LRTP). The LRTP recognizes the need for a balanced transportation system and for a system that is matched with available financial resources. The two primary underpinnings of the LRTP are preserving the existing system and supporting economic opportunities. Focusing on investment and policies that help to preserve the existing transportation system helps to create a cost effective system and contributes to the sustainability of that system.

With 79 airports included in the federal system and its central location within the United States, the Kansas airport system is a significant part of the FAA's National Plan of Integrated Airport Systems (NPIAS). Consequently, the recommendations are closely aligned with the FAA's *Next Generation Air Transportation System* (NextGen). NextGen sets the course for transforming the national aviation system in order to meet the expected tripling of demand for air service over the next ten to twenty years. In addition, the FAA's plan provides a framework for a system that takes advantage of the latest technologies, incorporates recent security improvements, and leverages the capabilities of all levels of government and the private sector. Another FAA document, the 2004 FAA Advisory Circular *The Airport System Planning Process*, also guided the development of policy recommendations contained herein.

The analysis conducted is presented in the following sections:

- ✦ Role and mission for aviation
- ✦ Current aviation policy
- ✦ Recommended policy for consideration
- ✦ Current funding distribution guidelines

- ✦ Existing priority system
- ✦ Considerations for modification to the existing priority system

ROLE AND MISSION FOR AVIATION

Role of Aviation in Kansas

Kansas' system of airports serves a diverse range of activities from commercial airline service to recreational flying to transporting cargo to agricultural spraying. These activities are governed by the U.S. Department of Transportation (US DOT), primarily through the Federal Aviation Administration (FAA). While FAA oversees the development at airports, the airspace that airplanes utilize, and aircraft ownership, the land that airports sit on fall under the governance of local jurisdictions as it relates to environmental issues, land use, and access to the airports. This governance creates a multi-layered approach to airport operation and development, requiring significant coordination and communication among the various entities.

As a key component of the state's transportation infrastructure, the Kansas Airport System's primary function is to provide access to the national air transportation system. The Kansas airport system should serve to:

- ✦ Preserve the aviation system
- ✦ Provide a modern network of airports
- ✦ Provide a network of airports that is accessible by the air and the ground
- ✦ Support local and statewide economic growth
- ✦ Support the promotion of aviation education

Each of Kansas' airports serves a unique role in the state system. While each airport serves its own local or regional marketplace, together, the airports fulfill an important role in connecting Kansans to the national and international air transportation system, while also providing access for business and other visitors to Kansas. Airports are used to transport persons and freight in a timely manner, and provide the fastest form of transportation. In order for Kansas' airport system to meet its goals, policies need to be established and implemented.

Aviation Mission for KDOT Division of Aviation

The Division of Aviation's mission is composed of the following:

1. **Kansas Airport Improvement Program (KAIP).** In 1999, the Kansas legislature passed the Comprehensive Transportation Program (CTP). The CTP annually provides \$3 million to support airport improvements for non-primary public-use airports.
2. **Federal Facilitation.** KDOT Division of Aviation takes an active role in the facilitation of FAA projects in Kansas. This role includes advocating for

- Kansas airports, encouraging aviation enhancing legislation, and coordinating Kansas projects.
3. **Inspections.** KDOT Division of Aviation utilizes six inspectors to conduct airport safety inspections of all public use airports in the state.
 4. **Publications.** KDOT Division of Aviation publishes the Kansas State Aeronautical Chart and the Kansas Airport Directory in alternating years.
 5. **Aerospace education.** KDOT Division of Aviation actively partners with a number of organizations to provide aerospace education. This role includes working with the Kansas Aviation Museum and Hall of Fame. KDOT Division of Aviation's Speaker's Bureau frequently addresses businesses, schools, and civic groups on the value of aviation to the Kansas economy.
 6. **Promotion of Aviation.** KDOT Division of Aviation provides background and resources for anyone interested in aviation in Kansas. The state offers a haven for general aviation enthusiasts and aviation businesses with initiatives like tax exemptions for corporate and antique aircraft. KDOT Division of Aviation also works diligently to provide all aviation stakeholders with the information necessary to make Kansas an ideal place to fly through the state aviation newsletter, Kansas Transportation Online Community (KTOC), and the Kansas Commission on Aerospace Education (KCAE).
 7. **Promotion of Compatible Land Use and Airspace Protection.** KDOT Division of Aviation works to promote compatible land use and airspace protection to help prevent encroachment on the aviation system.

CURRENT AVIATION POLICIES

The current policies related to airport development in Kansas focus on meeting FAA standards while accommodating demand for aviation, serving air transportation needs, and supporting economic growth and development. The policies and procedures currently in place primarily address Kansas' airport funding. These policies and procedures state:

1. That available state aviation funds are invested in public-use airports for projects with an emphasis on non-federally eligible portions of projects.
2. Federal passenger Essential Air Service subsidies are supported by the state at Dodge City Regional, Garden City Regional, Great Bend Municipal, Hays Regional, Liberal Mid-America Regional, Manhattan Regional, and Salina Municipal airports.
3. Decisions concerning the magnitude of funds outside of the KAIP to be made available for airports are the responsibility of the Kansas Legislature.
4. The State Highway Fund is subdivided into eight separate programs, one of which is Other Modal Programs and includes aviation.
5. The KDOT Division of Aviation is an advocate for the promotion of aviation and airports.
6. Funding decisions are made utilizing established state priorities and criteria process.

Kansas Statutes

The current Kansas Statutes Annotated (KSA) have been updated with information from the 2008 Legislative Session. The KSA are the laws established by the Kansas legislature and contains more than 70 chapters including several which address aviation and airports. Among other requirements, the statutes under Chapter 75 establish the requirements for the Director of Aviation and the division's duties for the development of aviation in the state. **Figure 8-1** presents all of the chapters and articles that are relevant to aviation in Kansas.

As shown, there are four chapters and multiple articles for each. These statutes deal with a myriad of issues including: funding, aircraft operation, taxation, duties of the Division of Aviation, airport zoning and regulation, and the cooperation with adjoining states.

Figure 8-1: Kansas Statutes Annotated

Chapter 3.—AIRCRAFT AND AIRFIELDS	
Article 1.—MUNICIPAL AIRPORTS AND FIELDS	
3-113	Municipal airfields and airports; safety zones; issuance of bonds following election; tax levy, use of proceeds.
3-113a	Certain cities of second class; maintenance of airport or airfield; tax and levy, use of proceeds.
3-113b	Bonds by certain cities of third class for purchasing , leasing, developing and equipping; election; debt limitations inapplicable; authority expires July 1, 1949.
3-114	Regulations or control of airport in certain cities; bond issue; tax levy, amount.
3-115	Rights and duties of cities.
3-116	Lease and use of airport.
3-117	Police power extended.
3-118	Additional airports of fields in certain cities.
3-119	Same; regulation.
3-119a	Joint ownership and operation by cities and counties; definitions.
3-120	Joint ownership and operation by cities and counties; contracts.
3-121	Same; use of general funds; general obligation bonds; protest petition and election; tax levies, use of proceeds.
3-122	Same; leases.
3-123	Same; rights and duties; eminent domain.
3-124	Same; police power extended.
3-125	Same; federal cooperation.
3-126	Transfer of control to board of public utilities in certain cities over 100,000; indebtedness.
3-127	Same; rates; employees; equipment; adjustment of water and light rates
3-128	Same; franchises and property.
3-129	Same; duties of governing body; eminent domain.
3-130	Same; rules and regulations; claims and accounts; powers.
3-131	Same; duties of certain officers.
3-132	Same; bond elections.
3-133	Same; bond limitations; liens.
3-134	Same; federal cooperation.
3-135	Same; invalidity of part.
3-139	Sale of airport near army or navy base in second-class cities.
3-140	Same; notice by publication; petition of election; notice of election.
3-141	Same; disposition of moneys.
3-142	Sale of surplus real estate by two or more cities.
3-143	Same; negotiations; bids; deeds.
3-144	Same; disposition of proceeds.
3-144a	Certain cities of the second class with two municipal airports.
3-144b	Same; discontinuance of airport authorized.
3-144c	Same; contracts; resolution; deed.

Figure 8-1: Kansas Statutes Annotated (cont.)

Chapter 3.—AIRCRAFT AND AIRFIELDS - continued	
3-144d	Same; disposition of proceeds of sale.
3-144e	Certain cities of third class over 2,000 with municipal airport.
3-144f	Same; purchase of additional real estate for runway; sale of property resolutions deeds.
3-144g	Same; disposition of proceeds; use of funds.
3-144h	Discontinuance of airport and sale of real estate by certain cities under 10,000 in certain counties between 36,000 and 45,000.
3-144i	Same; contract; appraisers; resolution; conveyance.
3-144j	Same; advertisement for bids; sale, when; conveyance.
3-144k	Same; deposit of proceeds; use of funds.
3-144l	Sale of airport or airfield by certain cities of second class.
3-144m	Same; resolution, publication; petition for election; notice, conduct of election.
3-144n	Same; deed to purchaser.
3-144o	Same; disposition of proceeds.
3-145	Revenue bonds in certain cities.
Article 1.—MUNICIPAL AIRPORTS AND FIELDS	
3-145a	Same; purposes in cities between 120,000 and 150,000; resolution, publication; election, when; limitations.
3-146	Same; how paid.
3-147	Same; how revenues kept and used.
3-148	Same; liens; negotiable.
3-149	Same; sale.
3-150	Revenue bonds in certain cities; terms; disposition of excess funds.
3-151	Same; contracts; protest petition; election.
3-152	Bonds for additional facilities in certain cities under 80,000.
3-152a	Bonds for improvements to airports in certain cities; petition and election.
3-153	"Municipality" defined.
3-154	Issuance of special facilities revenue bonds by municipalities for revenue-producing airport facilities.
3-155	Same; principal and interest payable solely from revenues.
3-156	Same; disposition and use of revenues derived from airport facilities.
3-157	Same; bonds constitute lien on revenues of facilities; recitals in bonds; conclusive validity in favor of purchasers; negotiability; debt limits inapplicable.
3-158	Revenue bonds for revenue-producing airport facilities; terms; disposition of excess funds.
3-159	Same; resolution pledging revenues; resolution stating purpose and amount of bonds; redemption prior to maturity; publication of resolutions.
3-160	Same; title to facilities to vest in municipality.
3-162	Airport authority in certain cities establishment.
3-163	Same; members.
3-164	Same; officers.
3-165	Same; transaction of business.
3-166	Same; contracts; employees.
3-167	Same; powers, authority and control.
3-168	Airport authority in certain counties; appointment of law enforcement officers.
3-169	Same; authority of law enforcement officers.
3-170	Same; qualifications of law enforcement officers.
3-171	Same; contracts of board of directors with city or county for police protection
Article 2.—REGULATION OF AIRCRAFT	
3-201	Definition of terms.
3-202	Pilot's certificate.
3-203	Violation of air commerce regulations.
3-204	Pilot to present license on demand.
3-205	Offenses under act; penalties.
3-206	Federal aircraft or pilots.
3-207	Invalidity of act.

Figure 8-1: Kansas Statutes Annotated (cont.)

Chapter 3.-AIRCRAFT AND AIRFIELDS - continued	
Article 3.-COUNTY AIRPORTS	
3-301	Johnson county.
3-302	Same; bonds for public airports and related facilities.
3-303	Same; resolution; protest petition; election.
3-304	Same; amount of bonds; bonded debt limitations inapplicable.
3-305	Same; condemnation.
3-306	Same; regulation of airports; federal funds.
3-307	Same; tax levies, use of proceeds.
3-307a	Airport commission; terms; vacancies; removal; office space.
3-307b	Same; powers of commission.
3-307c	Same; exercise of powers.
3-307d	Same; jurisdiction over airports and facilities.
3-307e	Same; zoning.
3-308	Counties of 5,000 or less.
3-309	Same; resolution; petition; election.
3-310	Same; tax levies, use of proceeds.
3-311	Same; lease or assignment; purposes.
3-312	Same; operation; rules and regulations.
3-313	Same; acceptance of federal and state funds; application of 3-601 to 3-603
3-314	Revenue bonds for airports and other facilities in counties establishing public airports under 3-302; pledge of facility income.
3-315	Revenue bonds for Johnson county airport; terms; disposition of excess funds.
3-316	Application of act; levy for airport purposes; resolution; publication; protest; election.
Article 3.-COUNTY AIRPORTS	
3-317	Same; airport capital outlay fund.
3-318	Same; use of moneys.
3-319	Same; issuance of bonds; amount; limitations.
3-320	Same; bonded debt limitation; exclusion.
3-321	Same; effect of not making a levy limitations.
3-322	Same; second resolution; when limitations; effect.
3-323	Same; renewal after five-year interval.
3-324	Same; issuance of bonds, when; limitations
Article 4.-NATIONAL DEFENSE OPERATIONS DEPOTS	
3-401	Counties over 125,000 and valuation over \$150,000,000; bonds; elections; limitations.
3-402	Aircraft supply depots in counties over 125,000; acquisition of lands; eminent domain.
3-403	Same; federal cooperation.
3-404	Two second-class cities in county between 34,000 and 42,000; joint ownership; contracts; gifts.
3-405	Airport depots in certain second class cities; rights and duties of cities; eminent domain.
3-406	Same; leasing to federal government.
3-407	Same; police power extended.
3-408	Certain second-class cities authorized to use moneys derived from joint operation of airport for industrial building; lease.
Article 6.-FEDERAL AND OTHER MONEYS	
3-601	Acceptance and expenditure of federal and other moneys; compliance.
3-602	Same; contracts.
3-603	Same; validation of prior acts.
3-604	Moneys available under federal airport act; definitions.
3-605	Same; powers of secretary of transportation.
3-606	Same; application by municipalities for moneys available under federal airport act; acceptance, receipt and disbursement of said moneys; agreements with state secretary of transportation.

Figure 8–1: Kansas Statutes Annotated (cont.)

Chapter 3.–AIRCRAFT AND AIRFIELDS - continued	
Article 7.–ZONING REGULATIONS	
3-701	Definitions.
3-702	Airport hazards contrary to public interest.
3-703	Power to adopt airport zoning regulations; privately owned airports.
3-704	Relation to comprehensive zoning regulations.
3-705	Procedure for adoption of zoning regulations.
3-706	Airport zoning requirements.
3-707	Permits and variances.
3-708	Administration of airport zoning regulations.
3-709	Judicial review.
3-710	Enforcement and remedies.
3-711	Acquisition of air rights; eminent domain.
3-712	Invalidity of part.
3-713	Title.
Article 8.–COOPERATION WITH ADJOINING STATES	
3-801	Kansas facilities in an adjoining state.
3-802	Adjoining states' facilities in Kansas.
3-803	Rights and duties; eminent domain.
3-804	Applicability of 3-801 to 3-804.
Article 10.–OPERATION UNDER INFLUENCE OF ALCOHOL OR DRUGS	
3-1001	Operation of aircraft under influence of intoxicating liquor unlawful.
3-1002	Operation of aircraft under influence of certain drugs unlawful.
3-1003	Penalties; driving records to court; no operation for 6 months; probation.
3-1004	Consent to chemical test; administration of tests; unreasonable refusal unlawful, penalty.
3-1005	Chemical tests; additional tests; presumptions; other evidence
Chapter 58.–PERSONAL AND REAL PROPERTY	
Article 2.–LIENS ON PERSONAL PROPERTY	
58-201	Liens for materials and services; filing statements with register of deeds, contents.
Chapter 75.–STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES	
Article 50.–DEPARTMENT OF TRANSPORTATION	
75-5010	Division of aviation; director of aviation, appointment and salary
75-5061	Public use general aviation airports; development fund; grants; duties of secretary of transportation
Article 51.–DEPARTMENT OF REVENUE	
75-5152	Sales and compensating tax attributable to sale of aviation fuel.
Chapter 79.–TAXATION	
Article 2.–PROPERTY EXEMPT FROM TAXATION	
79-201k	Business aircraft.
79-220	Antique aircraft.
Article 34.–MOTOR VEHICLE FUEL TAXES	
79-3408	Aviation fuel – see subparagraph (d)(4)
Article 36.–KANSAS RETAILERS' SALES TAX	
79-3606	Exempt sales of aircraft – see subparagraphs g, k & l

Source: Kansas State Legislature
 Prepared: June 2009

KDOT Division of Aviation Duties

The following section identifies the duties and role the Division of Aviation plays in maintaining and developing Kansas' airport system. The duties discussed are those that are pertinent to the development of the state's airport system, and have been defined by the KSA Chapter 75, Article 50 (75-5061) *Public use general aviation airports; development fund; grants; duties of secretary of transportation; funding*, and the National Association of State Aviation Officials (NASAO) *State Aviation Funding and Organizational Data Report FY 2007*. Additionally, the duties of aeronautical organizations within other states are compared with those of KDOT Division of Aviation.

The following duties relate directly to the development of the state's airport system and are identified in KSA 75-5061 as follows:

- ✦ "The Secretary of Transportation is hereby authorized and empowered to: (1) Solicit and receive moneys from any public or private sources; and (2) establish and administer a grant program for public use general aviation airports for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of such public use general aviation airports."
- ✦ "Such grants shall be made upon such terms and conditions as the secretary of transportation deems appropriate, and such grants shall be made from funds credited to the public use general aviation airport development fund."
- ✦ "The public use general aviation airport development fund is hereby established in the state treasury which shall be for the purpose of planning, constructing, reconstructing or rehabilitating the facilities of public use general aviation airports pursuant to subsection (a) of this section. All moneys received pursuant to subsection (a) shall be remitted to the state treasurer at least monthly and deposited in the state treasury to the credit of the public use general aviation airport development fund. The secretary of transportation shall administer the public use general aviation airport development fund. All expenditures from the public use general aviation airport development fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of transportation or by a person or persons designated by the secretary."
- ✦ "On July 1, 1999, and each July 1 thereafter, the director of accounts and reports shall transfer \$3,000,000 from the state highway fund to the public use general aviation airport development fund."
- ✦ "As used in this section "public use general aviation airport" means any airport available for use by the general public for the landing and taking off of aircraft, but shall not include any airport classified as a primary airport by the federal aviation administration."
- ✦ "The secretary of transportation may adopt rules and regulations for the purpose of implementing the provisions of this section."

The NASAO *State Aviation Funding and Organizational Data Report FY2007* noted the following generalized duties of the KDOT Division of Aviation:

- | | |
|--|--|
| • Air Service Assistance Program | • State Aeronautical Chart |
| • Airport Preservation Program | • State Funding (State Only Grants) |
| • Airfield Pavement Management Program | • Airfield Maintenance Project Funding |
| • State Airport Directory | • NAVAID Project Funding |

Figure 8-2 compares these duties with those performed by other state aeronautical organization in the central United States.

Figure 8–2: Comparison of KDOT Division of Aviation Duties/Programs with Other U.S. States (where available)

<i>State Duty</i>	<i>KS</i>	<i>MO</i>	<i>CO</i>	<i>NE</i>	<i>IA</i>	<i>OK</i>
Block grant state		X				
Channeling state		X			X	X
Aviation education				X	X	X
Pilot registration						
Aircraft registration					X	X
License airports					X	
Airfield pavement management program	X	X	X	X	X	X
Air service assistance program	X				X	
Airport preservation program	X		X			
Search and rescue program						
Own and operate state aircraft		X		X		
State funding (FAA matching only)		X	X	X		X
State funding (state-only grants)	X	X	X	X	X	X
State-only loans		X	X	X		
Operate state-owned airports				X		
Hangar construction funding		X		X	X	
NAVAID project funding	X	X	X	X	X	X
Airfield maintenance project funding	X	X	X	X	X	X
Airport directory	X	X	X	X	X	X
Aeronautical chart	X	X	X	X	X	X
Number of full-time employees	4	10	8	25	6	11

Source: NASAO State Aviation Funding and Organizational Data Report FY 2007, KDOT Division of Aviation, and www.aero.state.ne.us
 Prepared: June 2009

RECOMMENDED POLICIES FOR CONSIDERATION

It is important for KDOT Division of Aviation to utilize state-level policies to help guide decision-making with regard to the public-use airports to make certain that any development contributes to the long-term goals of the airport system plan. To date, no policies have been developed specifically for the maintenance and development of the Kansas airport system. This section will introduce several recommended policies specific to the Kansas airport system that can serve as the foundation for future decision making with respect to public-use airports.

Working from the performance measures and benchmarks established in the KASP, policies can be derived to help make certain that system airports fulfill the goals of the airport system plan. As discussed previously in the KASP, performance measures and benchmarks were developed from both an airport level (or role) perspective, and from an airport operations perspective. Goals for the aviation system were established in the KASP Chapter One: System Goals and Performance Measures, and each airport's role was determined in Chapter

Four: Airport Role Analysis. Using those analyses, an overall development plan for each airport in the system can be established.

Policy Framework

A policy is an agreed upon high-level strategy for meeting goals and developing procedures that optimize the resources for the KASP. During the system planning process, KDOT Division of Aviation and the Kansas Aviation Advisory Committee (KAAC) have actively worked to develop goals and performance measures that reflect the needs of the state's transportation and aviation goals as outlined in the Kansas Long Range Transportation Plan (LRTP):

<u>Goal</u>	<u>Performance Measure</u>
<ul style="list-style-type: none">• Preserve the aviation system• Provide a modern network of airports• Provide a network of airports that is accessible by the air and the ground• Support local and statewide economic growth• Support the promotion of aviation education	<ul style="list-style-type: none">• Preservation• Modernization• Accessibility• Economic Support• Education

Recommended policies provide appropriate and effective guidance in order to implement the goals and performance measures established in the strategic planning process and they should provide adequate detail to enhance the system while accommodating the diversity of airports in the system.

As the aviation industry in Kansas continues to grow it has become apparent that a policy structure is needed as a tool to serve as the basis for decision making. Therefore, the following policies are recommended for KDOT Division of Aviation for its airport system (not shown in order of importance):

1. Adopt Kansas specific airport design standards.
2. Promote compatible land use near airports by developing compatible land use guidelines.
3. Provide technical assistance to airports.
4. Maintain adequate access to public-use commercial service and general aviation airports for all of Kansas.
5. Improve accessibility to airports by air ambulance operators to meet the goals of the state and the KASP.
6. Promote the economic and social value of public-use airports, commercial service and general aviation.
7. Advocate for the promotion of aviation and airports, including education of youth and flight training to promote sustainability in Kansas' aviation industry.

8. Consider the creation of public law to register and license airports and heliports; and register aircraft
9. Support federal passenger Essential Air Service subsidies and encourage new passenger service development through marketing and promotion.
10. Evaluate and seek changes to plans and facilities to respond to new technology and aircraft fleets to accommodate future air transportation system needs.
11. Encourage private-use airports to consider transition to public-use, if appropriate.
12. Develop a statewide Pavement Management Program to protect and maintain investments made at airports.
13. Coordinate and maintain Continuous Airport System Planning activities.
14. Increase coverage provided by all-weather access airports.
15. Increase small airport sustainability.
16. Consider entering into "A Block Grant Agreement" with the FAA to administer and program federal funds for federally eligible airports.

These recommended policies are for KDOT Division of Aviation to consider adopting and implementing. They work in concert with the goals of the KASP and the Kansas Long Range Transportation Plan (LRTP), recommendations from the Kansas Aviation Advisory Council (KAAC), and with KDOT Division of Aviation's mission. **Figure 8-3** shows the relationship between each of the recommended policies and how it is directly tied to either a KASP goal or related policy issue such as a stated LRTP policy.

Figure 8-3 – Recommended Policy Relationship Matrix

Recommended Policy for Consideration by KDOT Division of Aviation	Kansas Airport System Plan Performance Measures					Other Policy Issues
	Preservation	Modernization	Accessibility	Economic Support	Education	
1. Adopt Kansas specific airport design standards.	X	X				
2. Promote compatible land use near airports by developing compatible land use guidelines.	X		X		X	
3. Provide technical assistance to airports.	X	X			X	
4. Maintain adequate access to public-use commercial service and general aviation airports for all of Kansas.		X	X			
5. Improve accessibility to airports by air ambulance operators to meet the goals of the state and the KASP.			X			
6. Promote the economic and social value of public-use airports, commercial service and general aviation.				X	X	
7. Advocate for the promotion of aviation and airports, including education of youth and flight training to promote sustainability in Kansas' aviation industry.					X	
8. Consider the creation of public law to register and license airports and heliports; and register aircraft	X					Safety and Potential Revenue Source
9. Support federal passenger Essential Air Service subsidies and encourage new passenger service development through marketing and promotion.					X	Air service
10. Evaluate and seek changes to plans and facilities to respond to new technology and aircraft fleets to accommodate future air transportation system needs.		X				New and emerging technology
11. Encourage private-use airports to consider transition to public-use, if appropriate.			X			
12. Develop a statewide Pavement Management Program to protect and maintain investments made at airports.	X					
13. Coordinate and maintain Continuous Airport System Planning activities.						LRTP Policy
14. Increase coverage provided by all-weather access airports.	X					LRTP Policy
15. Increase small airport sustainability.	X					LRTP Policy
16. Consider entering into "A Block Grant Agreement" with the FAA to administer and program federal funds for federally eligible airports.	X	X	X	X		Promotion/ Development of Aviation and Safety

Source: Wilbur Smith Associates
 Prepared: June 2009

CURRENT FUNDING DISTRIBUTION GUIDELINES

Development of Kansas' airports is supported by the State Highway Fund (SHF), which is derived from various sources such as motor fuel taxes, vehicle registrations and permits, and sales and use taxes. The KAIP annually receives a transfer of \$3 million from the SHF. Airports submit projects to KDOT Division of Aviation for consideration for funding from the KAIP.

KAIP objectives are to:

1. Maintain the systems runway conditions ratings to 'very good'
2. Minimize surface travel time to air ambulance pick-up locations
3. Augment safety by improvements to taxiways, ramps, and lighting
4. Enhance community economic development appeal

The KAIP funding is summarized below. It is important to note that there is a \$500,000 cap per project with the following exceptions of a \$1,000,000 maximum for a new primary runway or \$750,000 maximum for full reconstruction of an existing primary runway.

<u>State/Local Funding</u>	<u>Requirement</u>
<u>Split</u>	
90% / 10%	Population less than 3,000
75% / 25%	Population between 3,000 – 10,000
50% / 50%	Population greater than 10,000

EXISTING PRIORITY SYSTEM

Airport projects funded with state/local dollars are prioritized by KDOT Division of Aviation. The priority rating system uses a formula model that is utilized by an evaluation committee made up of KDOT and FAA staff. The purpose of the formula model is to rate projects in the most objective manner possible by assigning projects a point value; this point value includes points related specifically to the project as well as airport-specific factors. Then, projects with the highest point values are funded first, second, and so on. The data used to determine the point value assignment may come from the airport sponsor, their latest master plan or airport layout plan (ALP), or other various sources.

The priority rating system consists of a list of factors and their associated points. The rating factors and their maximum point values are:

<u>Factor</u>	<u>Point Value</u>
Safety	25
Pavement Condition	25
Local Enhancement	10
System Enhancement	10
Geographic	10
Remoteness	
Discretionary	20

Review of Other State Funding/Priority Systems

To date, there are no studies readily available that conduct a comparative analysis of various state policies and practices with respect to their funding or priority rating systems. However, many states have priority rating systems addressed in documents ranging from their state airport system plans to grant-related manuals. **Figure 8-4** provides a comparison of general elements most common among a sample of 10 state priority rating approaches. Also included in Figure 8-4 is a summary of Kansas' priority system for comparison to the other 10 states. It should be noted that the priority systems are applied in varying manners among the various states. In addition, discussion about each priority rating system's development, subsequent revisions, and success in application also varies widely among state documents. Four of the 10 states reviewed in Figure 8-4 provided some insight beneficial to the review effort so these are further described below.

PLACEHOLDER – FIGURE 8-14 ON 11 X 17

PLACEHOLDER – FIGURE 8-14 ON 11 X 17

Wyoming

The latest Wyoming Priority Rating System for Projects is dated February 2006, and was prepared by a committee with members from Wyoming Aeronautics Commission, Wyoming Department of Transportation (WYDOT) Aeronautics Division, and various airports around the state. The rating system was updated for several reasons, including: the complexity of the old system caused confusion; the based aircraft count needed to be removed as a factor since it was considered an insignificant tool in the rating process; factors such as number of services and airport attendance needed to be removed since many felt the factors should not be considered; and the list of project types needed to be update. The committee recognized and stated that while a formula was needed to assign a priority rating, it would only be used as a tool in making the final decision to fund each project.

The committee established a formula to represent the Wyoming Priority Rating Model. The formula incorporates seven weighted factors as shown below:

Project Priority Rating = $6f+5p+4c+3s+2a+1h+1u$

f = Federal Funding p = Purpose
c = Component s = Special Needs
a = Airport Protection h = Airport History
u = Airport Usage

Unlike Kansas, Wyoming awards points for land use protection factors such as owning/controlling runway protection zones (RPZs), passing a zoning ordinance within an Airport Influence Area (AIA) and approaches to runways, and integrating airport land use planning into a local land use plan. Points for airport history in the formula are based on past airport projects with the state. This is simply to make certain that a professional working relationship has been established and maintained with the state, that facility maintenance is ongoing to take care of the state's investment, and that ground transportation between the airport and community is provided. The state feels that ground transportation is an essential service so this factor is included to encourage airport sponsors to offer transportation.

Wyoming's update was based on a list of problem issues with the previous rating system that needed remedy. Airport usage and based aircraft were included in the former rating model, but the state made adjustments to these factors in the 2006 update. The state determined that based aircraft was not a proper measure so based aircraft was dropped. Airport usage points are still included, but operations are no longer considered. Today, airport usage points are limited to the enplanements at commercial service airports and the population service area for general aviation airports.

Minnesota

Minnesota Department of Transportation (MnDOT) Office of Aeronautics is currently in the process of establishing a priority rating model, which generally follows the FAA's approach to AIP project funding. However, their state funding prioritization assigns points that they refer to as "S" points in their draft model. The "S" points assign higher points to non-NPIAS airports and lower points to NPIAS airports, which the state has indicated is based on NPIAS funding assistance, SASP airport category, and primary entitlement funding/enhanced revenue generation ability.

Minnesota does require airport zoning for airports to be eligible for State of Minnesota funding programs. Their website states "...In Minnesota, communities in the airport influence area enact zoning. A set of Procedural Steps is prescribed that meets the requirements set forth in Minnesota Statutes..." Generally, the area consists of the runway approaches and the outer limits of the Part 77 airspace surfaces. MnDOT Office of Aeronautics also published a Land Use Compatibility Manual to assist airport sponsors with understanding and promoting compatible land use development.

The following are excerpts from the Minnesota Airport Development Funding & Grant Programs section provided online, which includes an overview of their current funding levels, maintenance and operation program, and loan program:

- ✦ **Airport Construction Grant Program:** The State Airport Construction Grant Program funds most capital improvements at state system airports based on a determination that the improvement is a justifiable benefit to the air-traveling public. Airports that are in the National Plan of Integrated Airport Systems (NPIAS) are eligible for federal funding. State funding participation at NPIAS airports is 70 percent of eligible costs. State funding at non-NPIAS airports is 80 percent of eligible costs. Projects that have revenue-generating potential are funded at 50 percent. Grants are issued for planning, land acquisition, and for improvements such as rehabilitating, constructing or extending runways, taxiways, aprons, hangar areas, vehicle parking areas, entrance roads, terminal buildings, arrival/departure buildings, maintenance buildings, utilities, drainage facilities, aviation fuel facilities, and airfield lighting systems. This program also funds airport maintenance equipment at a two-thirds state one-third local participation rate.

- ✦ **Airport Maintenance and Operation Grant Program:** The State Airport Maintenance and Operation Grant Program provides two-thirds state reimbursement to the state system airports for their documented, routine maintenance expenses up to a fixed amount that is categorized by airport infrastructure. The day-to-day labor, material, equipment, and utility expenses of maintaining airport pavements, airport grounds, lighting systems, buildings, and maintenance equipment are eligible costs.

- ✦ **Hangar Loan Revolving Account Program:** The State Hangar Loan Revolving Account Program provides an 80 percent interest-free loan to state system airports for building new hangars. The loans are paid back in equal monthly installments over 10 years. Payment receipts, as they become available, are then loaned out again to other airports needing hangars.

Washington

Washington's system for rating projects is described in a 2005 document titled *WSDOT Airport Aid Grant Procedures Manual*. Funds are allocated by airport type and project type. There are two airport types with 55 percent of available funds allocated to the first group and 45 percent to the second group as noted below:

1. NPIAS General Aviation Airports with less than 20 based aircraft and all non-NPIAS airports
2. All Other Airports (NPIAS Airports with 20 or more based aircraft)

Funds are further allocated to one of three categories identified as project types:

1. Pavement (75%)
2. Safety (15%)
3. Maintenance, Security, and Planning (10%)

Within each category for project type, a list of projects and associated points are defined to prioritize the projects. Pavement projects receive up to 20 points for the type of project (maintenance, resurfacing, etc) and receive up to 25 points for the type of surface (primary runway, primary taxiway, etc.). Safety projects can earn up to 20 points for obstruction removal/fencing or as little as five points for navigational aids. The maintenance, security, and planning projects category also awards up to 20 points.

After points are assigned for specific projects within each project type category, additional points may be assigned to a project using 13 other factors. Nine of these factors can add one point each to the project, three factors add two points, and the last factor can add as much as three points for an increased local match.

Michigan

Michigan's priority rating model is outlined in a 1997 document titled *Project Evaluation Process Manual*. Their rating model does not outline a point system, but rather walks through the steps taken by the state to screen, categorize, and prioritize projects for funding. The screening process is a test for project justification after all eligible project funding requests have been received from

sponsors. The manual provides definitions for projects that are justified; projects not aligned with these definitions are removed from consideration. All projects that have proved to be justified are listed in their appropriate funding category. There are 11 funding categories by priority of funding. However, the manual indicates that the prioritization and funding process for projects is subjective since situations vary. The 11 categories include:

- | | |
|-----------------------------------|------------------------------|
| 1 - Primary Runway Preservation | 7 - Fencing |
| 2 - Secondary Runway Preservation | 8 - Secondary Runway & Apron |
| 3 - Taxiway & Apron | 9 - Miscellaneous Items |
| 4 - Primary Runway Extension | 10 - Landside Preservation |
| 5 - Miscellaneous Lighting | 11 - Landside Improvements |
| 6 - Airside Support & Access | |

Note: The manual states that "Land acquisition for any new development will be prioritized the same as the development for which it is needed."

While all projects in Category 1 are given equal consideration, other evaluation factors are considered if there are insufficient funds to cover all Category 1 projects. The manual recommends that a sponsor submit a request letter addressing the other appropriate evaluation factors to adjust the priority of their project. Examples of these factors identified in the manual include number of operations and based aircraft, emergency services available, flight school operations, economic impact, existence of airport zoning, sponsor's performance on past projects, and sponsor's willingness to rectify inspection-related deficiencies. This same approach applies to other funding categories.

CONSIDERATIONS FOR MODIFICATIONS TO THE EXISTING PRIORITY SYSTEM

Based on the review of the existing policies related to aviation funding and systems and processes utilized by other state aviation organizations, considerations for potential modification to KDOT Division of Aviation's current priority system were developed as follows.

- 1. Project Definitions – Consider publishing a clear set of definitions for rating factors to enhance airport sponsor understanding and the state's ability to screen projects for applicability and tie the priority system more directly to the KASP.**

Many of the rating factors lack a specific definition to help sponsors determine if their project aligns with the purpose of the factor. This is important to the state as they evaluate and determine if a project is truly eligible for the point value assigned to that component.

Each project category should have a definition that spells out the "what and why" of each project so the sponsor understands the eligibility of the project before completing the KAIP application. This effort should not fully

eliminate the flexibility in funding projects, but it should help separate and elevate the more critical projects. This effort should also help minimize the time and effort that KDOT Division of Aviation spends in addressing project questions.

2. Long-term Viability – Consider a fundamental eligibility checklist to incorporate into the priority rating system that addresses critical issues associated with the long-term protection of the airport and the state’s investment.

It is recommended that airport sponsors be held more accountable for incompatible land use development, but in a more proactive manner that requires the sponsor define, implement, and enforce land use controls just as they would with any other important development area in the community. The goal should be to better educate sponsors on the importance of protecting their airport environs so it becomes important to them rather than placing more responsibility on the state to simply enforce something that the sponsors do not fully understand, particularly under the umbrella of their own community-wide needs, financial constraints, and politics.

To support the effort in promoting long-term viability of airports, sponsors continue to need guidance and education from aviation organizations and government agencies regarding the steps needed to protect and maximize the usage of their airport investment. Continuing guidance that builds off of the KASP will help airport sponsors better align their airports with the goals and objectives stated in the KASP.

3. Reappraisal of Funding Distribution/Point System Structure – Consider the need for the funding distribution and priority system to be reevaluated periodically to allow for flexibility as the need arises.

As the system grows and funding sources change, it is recommended that KDOT Division of Aviation periodically review how funds are distributed to airports and how points are allocated during the KAIP application process with key stakeholders. This level of flexibility will afford the Division of Aviation the ability to change as demand warrants and the economic environment shifts.