



U.S. Department
of Transportation
**Federal Aviation
Administration**

Northwest Mountain Region
Colorado, Idaho, Montana
Oregon Utah, Washington
Wyoming

Jan 19, 1996

Ms. Francesca Hammer, President
Jackson Hole Airport Board
P.O. Box 159
Jackson, WY 83001

Dear Ms. Hammer:

We appreciate that you, the other Board members, and Mr. Larson were able to visit us on November 3, 1995, to discuss your preferred alternative for development of the Jackson Hole Airport (JAC). The meeting was important so that we could provide information on this agency's concerns about several of the elements of the preferred alternative. In response to our concluding request to be advised of any changes in the Board's views of any of the alternatives we have received Mr. Larson's letter of November 29, 1995. We appreciate his personal reaction to issues raised at the meeting. We understand that the Board will have many points of view to consider in the environmental process presently underway. We agree that it is reasonable for the Board to withhold decisions on possible changes to the preferred alternative until the public process is complete.

The Board will request that the Federal Aviation Administration (FAA) approve an Airport Layout Plan upon the successful conclusion of the environmental and planning processes. Pending completion of those processes it is important that you be aware of our concerns about elements of your preferred alternative. The following comments express these concerns. We also may have further comments on the final environmental assessment (EA) and master plan documents. The outline of the comments generally follows that of the draft EA.

a. Navigational Aids and Air Traffic Control Facilities

(1) Precision instrument approach for runway 36. We do not have a technical objection to providing an instrument approach procedure to runway 36 using Global Positioning System technology, but at this time do not know what the

minimum or the glide slope might be for such an approach. The EA suggests the approach would be steeper than 3 degrees, which may limit its use by the air carriers. It is likely that a local differential correction facility will be necessary.

(2) Airport Traffic Control Tower (ATCT). At our meeting we had an extensive conversation about the function of and facilities for air traffic control. We restated our previous advice to you that JAC would not qualify on a benefit/cost basis for an FAA built and staffed tower. The airport would, however, qualify as a candidate for the FAA's contract tower program if the Board were to build its own tower. We also pointed out that we are not now able to make a decision on initiation or continued funding of a contract arrangement. Because of these factors, we suggested you consider use of "enhanced unicom" as a cost-effective alternative. Mr. Larson has subsequently expressed his belief that the Board would construct the tower rather than institute enhanced unicom. We wish to again reiterate our previous concerns.

Your principal justification for an ATCT is to increase use of the existing preferential runway system. However the purpose of a tower is not to enforce a preferential runway system, although it may encourage such use. We have not determined yet if we agree with your forecasts of increased use of the preferential runway system. We note however, that you forecast approximately one less air carrier departure on runway 36 per week in 1998. We note further that the EA suggests this minimal reduction approximates the increase in noise caused by the proposed northerly shifting of the runway. With regard to the function of an ATCT, Mr. Larson correctly points out in his letter that an ATCT would not be used to enforce locally established overflight restrictions.

(3) Airport Surveillance Radar (ASR) -An ASR would not be eligible for installation by FAA to support JAC. As with control tower establishment, we use investment criteria based on a benefit/cost analysis. Typically, ASR establishment and 20 year operation cost may be \$25 million, depending on site specifics. The primary benefit of radar is delay reduction gained by permitting a reduction in aircraft separation. We are unaware of any current or forecast delays at JAC. Further, there are insufficient operations at JAC to justify the initial investment or operational costs of an ASR.

Our review of the draft EA indicated that there is no basis for the noise level reduction or reduction in overflights of the park claimed from implementation of items a(1), a(2), and a(3) above.

b. Proposed Airside Improvements

(1) Paved stopways. We pointed out in our meeting that construction of stopways to increase takeoff weights of aircraft using them would be eligible for federal participation under the Airport Improvement Program. However,

if their use as a stopway was to be prohibited, they would not be eligible for federal participation. Your EA indicates stopways would be constructed and you would ask FAA to prohibit their use in takeoff calculations. Stopways are designated by airport owners. If a stopway is established by an airport there is no regulatory prohibition to it being used for takeoff calculations. The EA should not make the assumption that they will not be used.

As an alternative to stopways, we have suggested paving the inner portion of standard safety areas. They would provide the safety margin you desire in the event an aircraft goes off the runway end or touches down short of the threshold. They would not, however, provide for increased aircraft weights for takeoff. This alternative seems to precisely meet the Board's concerns as described in Mr. Larson's letter.

(2) Move runway north. The preferred alternative recommends moving the runway north to accommodate standard safety areas and non-standard stopways on both runway ends. We discussed the alternative of retaining the existing runway location and providing safety areas on both runway ends. This alternative, including land acquisition and road relocation if needed, should be evaluated.

c. Proposed Landside Improvements

These proposed developments seem reasonable and we recommend that complete justification be included in the master plan.

d. Property Acquisition

The only property acquisition necessary will be to accommodate FAA airport design standards at the south runway end. This depends on the alternative selected. Protection of portions of the Runway Protection Zone through easement acquisition will be acceptable. As noted, however, the option of retaining the existing runway location might necessitate additional land acquisition and that should be analyzed.

e. Noise Abatement

The Draft EA includes a set of noise measures intended to reduce noise impact in the vicinity of the airport and the Park. They range from administrative and voluntary, which can be instituted easily, to significant and unprecedented, requiring regulatory and perhaps legislative action to permit implementation.

Non-Access restriction measures

We support measures N-6, Noise monitoring program; N-7, Noise complaint/ Citizen Liaison Program; and N-8, Support County land use controls. These are essentially administrative and within the authority of the Board.

Item N-3, Noise Abatement Take-off procedures (flight tracks) will require further consideration and will presumably be developed with input from the airport users as well as the public.

We do not agree with items N-9, Airport Traffic Control Tower with Radar, and N-10, preferential runway system and airport traffic control tower. (As noted above, neither an FAA-built and staffed control tower nor Airport Surveillance Radar met FAA benefit/cost criteria.) A Board-constructed ATCT, without Radar, could encourage use of a preferential runway system. An ATCT's function is not to provide positive control for noise abatement compliance or to restrict Park over-flight. The ATCT provides Airport Traffic Control services as defined by FAA Air Traffic Service, to aircraft operating on and in the vicinity of an airport.

We do not concur with Measure N-4, establishment of restricted airspace over the Park. There is a national program in place, within Inter-Agency agreements, for the FAA to address aircraft overflight impacts to parklands and wildlife refuges. Measure N-4 should be considered using the established process in that national program.

Access restriction measures

Noise abatement measures N-1, N-2, and N-5 are proposals that would further reduce access to the airport beyond that already established in the Special Use Agreement. Thus, each would be subject to the former Airport Noise and Capacity Act of 1990 (recodified at P.L. 103-272), 49 USC 47521 (hereinafter referred to as "ANCA"), as implemented by 14 CFR Part 161. Although the Special Use Agreement is grandfathered because it was in effect prior to the enactment of ANCA, any amendments to the use agreement that further reduce airport access would require the airport operator to comply with Part 161 prior to implementation. (14 CFR §161.3 "This part also applies to airports enacting amendments to airport noise and access restrictions in effect on October 1, 1990, but amended after that date, where the amendment reduces or limits aircraft operations or affects aircraft safety.") The proposed access restriction measures do not qualify for grandfathering or exemption under the intergovernmental agreement provision of ANCA and 14 CFR Part 161.

Thus, no environmental commitments may be made that include airport noise or access restrictions subject to Part 161 unless Part 161 has been successfully completed for that measure. The FAA is available to discuss development of measures that are not subject to 14 CFR Part 161 and to provide guidance on complying with the regulatory requirements of 14 CFR Part 161.

The ANCA does not eliminate, invalidate, or supersede existing law with respect to airport noise or access restrictions by local authorities (49 USC 47533, 14 CFR section 161.7). The airport operator must remain in compliance with all applicable Federal laws, including those governing Federal grant agreements, Federal preemption, and air commerce.

This has been a long and complex planning process and we recognize your efforts to address a wide array of issues raised by various interests. As you note from the above comments we

do support certain initiatives but also have serious concerns about others. Without resolution of our concerns, we would be unable to complete a Federal environmental document or to approve a revised ALP for your current preferred alternative. We ask for your careful consideration of our comments as you formulate your final plans. We must also caution that a revised preferred alternative must be supported with adequate environmental analysis.

We are available to discuss this further and request that you continue to work with our Denver Airports District Office.

Sincerely,

Frederick M. Isaac
Regional Administrator
Northwest Mountain Region