

Draft Final PAC & Public Comments (7/23/25 - 8/6/25)

Draft Final PAC Public Comments Log

PDF				Received	
No.	Last Name	First Name	Date of Comment	Through	Subject Line
7	Ahrens	Melissa	8.6.25	email	Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25; email
29	Ahrens	Melissa	8.12.25	email	DLCD Comments: Draft Final Airport Master Plan; email & attachment
18	Bennett	Bruce	8.6.25	email	MP input; email & attachment
5	Breckenridge	Becky	8.5.25	email	Comments to Proposed Aurora State Airport Master Plan; email
9	Brenneke	Stephen	8.6.25	email	Concerns regarding the Master Plan for KUAO; email
23	Buley	George	8.6.25	website	Aurora State Airport Master Plan Website Comments - George Buley
19	Buss	Jonathan	8.6.25	email	Regarding Comments to Proposed Aurora State Airport Master Plan; email & attachment
4	Davis	Ted	8.5.25	email	For your records and consideration re KUAO Master Plan; attachment
14	Fournier	Robert	8.6.25	email	Helicopter Transport Services LLC. KUAO Master Plan comments to be entered into Public Records.; email & attachment
12	Helbling	Tony	8.6.25	email	AAIA Comments to the Proposed Aurora State Airport Master Plan (MP); email & attachment)
27	Helbling	Tony	8.5.25	email	Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25
2	Hulbert	James	8.2.25	email	Comments to Proposed Aurora State Airport Master Plan; attachment
13	Ihlenburg	Carol	8.6.25	email	Comments on Revised Draft Final Master Plan – Aurora State Airport (UAO); email
8	Kellington	Wendie	8.6.25	email	Confirm the record please - time sensitive; email
21	Kellington	Wendie	8.6.25	website	Aurora State Airport Master Plan Website Comments - Wendie Kellington
22	Kellington	Wendie	8.6.25	email	TLM LTR 8.6.25; email & three attachments (TLM LTR 8.6.25 To Submit, Exhibit 1, Exhibit 2)
24	Kellington	Wendie	8.6.25	email	FW: Confirm the record please - time sensitive
16	MacGregor	Kory	8.6.25	email	Comments to Proposed Aurora State Airport Master Plan; attachment
20	Magana	Abel	8.6.25	email	Comments to proposed Aurora State Airport Master Plan; attachment
1	May	Ronald	8.2.25	email	Aurora State Master Plan Comments; attachment
17	Nickerson	Peter	8.6.25	email	Comments to Proposed Aurora State Airport Master Plan; email & attachment
25	Reich	Brandon	7.24.25	email	Aurora PAC - Draft Final Airport Master Plan available for review
28	Reich	Brandon	7.25.25	email	Aurora PAC - Draft Final Airport Master Plan available for review; additional question
15	Severson	James	8.6.25	email	Comments to Proposed Aurora State Airport Master Plan; email & attachment
3	Watt	David	8.5.25	email	Aurora Airport comment (from David Watt & Suzi Hill); attachment
6	Wild	Everett	8.5.25	email	City of Wilsonville Comment on Aurora State Airport Draft Final Master Plan - signed by Shawn O'Neil; attachment
10	Williams	Ben	8.6.25	email	Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25; email & attachment)
11	Williams	Benjamin	8.6.25	website	Aurora State Airport Master Plan Website Comments
26	Williams	Ben	7.23.25	email	Aurora PAC - Draft Final Airport Master Plan available for review

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [David Miller](#); [Mark Steele](#); [W. Matt Rogers](#)
Subject: FW: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25
Date: Thursday, August 7, 2025 2:19:34 PM

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Thursday, August 7, 2025 10:42 AM
To: Samantha Peterson <SPeterson@CenturyWest.com>; Brandy Steffen <brandy.steffen@jla.us.com>
Cc: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: FW: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Good morning, please include in the public record.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Sent: Wednesday, August 6, 2025 3:46 PM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Tony,

Thank you for confirming the comment period extension and for taking the time to touch base this morning. We will get back to you as soon as possible after our director is back in the office.

Melissa

Melissa Ahrens

Mid-Willamette Valley Regional Representative | Community Services Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540

Cell: 503-779-9821 | Main: 503-373-0050
melissa.ahrens@dlcd.oregon.gov | www.oregon.gov/LCD

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 9:53 AM
To: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hi Melissa,

Thanks for the phone call to discuss this PAC review, and the community review that will follow. Since your Director has been out for an extended period and is expected to return on the 11th, we are happy to extend the deadline for DLCD's comments to 8/13.

Please let me know if more time is needed.

Tony Beach
OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Wednesday, August 6, 2025 8:53 AM
To: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Yes, sounds good.

Tony Beach
OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Sent: Wednesday, August 6, 2025 8:52 AM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Tony,

I am planning to give you a call at 9:40am if that works okay on your end. Thanks!

Melissa

Melissa Ahrens

Mid-Willamette Valley Regional Representative | Community Services Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-779-9821 | Main: 503-373-0050
melissa.ahrens@dlcd.oregon.gov | www.oregon.gov/LCD

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>

Sent: Tuesday, August 5, 2025 4:06 PM

To: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>

Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hi, no problem. Yes give me a call tomorrow, I am open as well.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: AHRENS Melissa * DLCD <Melissa.AHRENS@dlcd.oregon.gov>

Sent: Tuesday, August 5, 2025 4:04 PM

To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>

Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Tony,

Sorry I missed your call a bit ago. Could we check in tomorrow am? I am free anytime before 11am. Thanks!

Melissa

Melissa Ahrens

Mid-Willamette Valley Regional Representative | Community Services Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-779-9821 | Main: 503-373-0050
melissa.ahrens@dlcd.oregon.gov | www.oregon.gov/LCD

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Tuesday, August 5, 2025 1:25 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hello PAC members,

Just a reminder to **submit [comments or input](#) on the *Draft Final Airport Master Plan*** (using the [form on the "Contact & Comment" page](#)) **no later than Wednesday, August 6, 2025** for ODAV and the Planning Team to review.

All comments will be collected and included in an updated Appendix 11 (public comments).

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, July 23, 2025 4:14 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan available for review

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources & Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) **no later than Wednesday, August 6, 2025** for ODAV

and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

From: [Brandy Steffen](#)
To: [Samantha Peterson](#); [Rachel Montagne](#)
Subject: Fw: DLCD Comments: Draft Final Airport Master Plan
Date: Thursday, August 14, 2025 1:55:29 PM
Attachments: [202508013 DLCD Comment Letter Aurora Airport Master Plan.pdf](#)

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Sent: Tuesday, August 12, 2025 3:20 PM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Cc: Brandy Steffen <brandy.steffen@jla.us.com>; BATEMAN Brenda O * DLCD <Brenda.O.Bateman@dlcd.oregon.gov>; GREENE Kirstin * DLCD <Kirstin.GREENE@dlcd.oregon.gov>; HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>; CRALL Matt * DLCD <Matt.CRALL@dlcd.oregon.gov>
Subject: DLCD Comments: Draft Final Airport Master Plan

Hi Tony,

Thank you for your patience while we have been working to review the draft plan and get back to you with our comments. Attached please find DLCD comments on the draft final Aurora Airport Master Plan. Please let us know if there are any questions. Thank you!

Melissa



Melissa Ahrens

Mid-Willamette Valley Regional Representative | Community Services Division
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 503-779-9821 | Main: 503-373-0050
melissa.ahrens@dlcd.oregon.gov | www.oregon.gov/LCD

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 9:53 AM
To: AHRENS Melissa * DLCD <Melissa.Ahrens@dlcd.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hi Melissa,

Thanks for the phone call to discuss this PAC review, and the community review that will

follow. Since your Director has been out for an extended period and is expected to return on the 11th, we are happy to extend the deadline for DLCD's comments to 8/13.

Please let me know if more time is needed.

Tony Beach

OREGON DEPARTMENT OF AVIATION

STATE AIRPORTS MANAGER

OFFICE 503-378-2523 **CELL** 503-302-5455

M-F 7:30am – 4pm



Oregon

Tina Kotek, Governor

Department of Land Conservation and Development

Community Services Division
635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540
Phone: 503-373-0050
Fax: 503-378-5518
www.oregon.gov/LCD

August 12, 2025

Tony Beach
State Airports Manager
Oregon Department of Aviation



By Email: Anthony.BEACH@odav.oregon.gov

Subject: Comments on the Draft Final Aurora Airport Master Plan

Dear Mr. Beach,

Thank you for the opportunity to comment on the above referenced draft final master plan. Our department appreciates the collaboration that has occurred between our agencies during the master planning process for the Aurora Airport. We have reviewed the subject plan and would like to submit the following comments:

Per the draft final plan alternatives analysis, specifically page 5-19 of the plan, we understand that the South Runway Extension Option was eliminated due to its substantial impacts on Exclusive Farm Use (EFU)-zoned land. DLCD supports removal of this alternative due to its adverse impact on agricultural resource land. Per Statewide Planning Goal 3 (Agricultural Lands), DLCD supports selection of an alternative that avoids impacts to agricultural resource land to the greatest extent feasible.

Our staff are available to support this master planning effort as it continues in the future and look forward to ongoing coordination between our agencies on this matter.

Sincerely,

Gordon Howard
Community Services Division Manager

Cc:
Brenda Bateman, Director, DLCD

Kirstin Greene, Deputy Director, DLCD

Matt Crall, Planning Services Division Manager, DLCD

Melissa Ahrens, Mid-Willamette Valley Regional Representative, DLCD

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [Rachel Montagne](#); [David Miller](#); [Mark Steele](#)
Subject: FW: MP input
Date: Thursday, August 7, 2025 8:08:36 AM
Attachments: [Feedback to 2025 KUAO MP .docx](#)

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:36 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: MP input

Hello,

Please include within the UAO record.

ALEX THOMAS

OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Bruce Bennett <bruce@auroraaviation.com>
Date: Wednesday, August 6, 2025 at 16:45
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>, Brandy Steffen <brandy.steffen@jla.us.com>
Subject: MP input

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Thank you for seriously considering this input.

Bruce

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov
brandy.steffen@jla.us.com

Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

Thank you for the opportunity to submit input on the current plan project. Having worked and flown off Aurora for most of my life and having my largest financial investment there, its future and its relationship with our neighbors is very important to me.

Also thank you for the improvements in the proposed KUAO Master Plan, I believe there are a three more that are very important as follows.

1. The current version calls for the movement of State Highway 551 approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, with a negligible increase in safety and no real need. I believe this is the kind of wasteful spending the current administration is very concerned about. Even contemplating this project is one of the worst possible public relations moves the Airport could make. Keeping the highway in place and moving the fence brings us to very near compliance along the whole length of the entire airport. The master plan should state that while Aurora strives to be as safe as possible, that it will never accommodate Boeing 737 type Aircraft that would require the highway move. The resulting significantly lowered risk would make sense while saving many millions of dollars and not outraging our neighbors. Also the much-needed and overdue since 1976 runway extension could be further hugely delayed by the attempted movement of that highway.
2. The plan needs to show the ODAV acquiring the acre that was specifically created for them on the South end of the main midfield ramp. This will allow the taxi-lane to be extended to the South to access Taxiway A and allow aircraft and fuel trucks to access the airport's south end from all of ODAV's airport properties as well as separating North and Southbound taxiway traffic. I'm sure the Aurora Control tower will verify this upgrade will ease many of the ground operations at UAO every day and it will certainly minimize VPDs.

3. The proposed Master Plan does not include the entire Interior Circulation Road (ICR) as was indicated in the 2012 plan and re-submitted for consideration in this plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

For these and many other reasons, I feel the proposed Master Plan needs these improvements to adequately plan and promote safe and efficient flight operations at Aurora State Airport. These changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

Bruce Erik Bennett

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [Mark Steele](#); [David Miller](#); [Rachel Montagne](#)
Subject: FW: Comments to Proposed Aurora State Airport Master Plan
Date: Tuesday, August 5, 2025 10:31:13 AM

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Tuesday, August 5, 2025 10:27 AM
To: Samantha Peterson <SPeterson@CenturyWest.com>; steffen@jla.us.com
Cc: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: FW: Comments to Proposed Aurora State Airport Master Plan

FYI, please include in the public record.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Tuesday, August 5, 2025 10:26 AM
To: Becky B. <beckybreck@gmail.com>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>;
steffen@jla.us.com
Cc: Bruce Bennett <bruce@auroraaviation.com>; Stephen Bateman <sbateman7799@gmail.com>
Subject: RE: Comments to Proposed Aurora State Airport Master Plan

Hi Becky, thank you for your comments, they'll be included in the public record.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: Becky B. <beckybreck@gmail.com>
Sent: Tuesday, August 5, 2025 10:02 AM
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>; steffen@jla.us.com; BEACH Anthony
<Anthony.BEACH@odav.oregon.gov>

Cc: Bruce Bennett <bruce@auroraaviation.com>; Stephen Bateman <sbateman7799@gmail.com>
Subject: Comments to Proposed Aurora State Airport Master Plan

You don't often get email from beckybreck@gmail.com. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

August 5, 2025

Dear Mr. Thomas,

Oregon Pilots Association and its membership are concerned about the proposed KUAO Master Plan. Although it suggests significant improvements, it fails to address some necessary changes as outlined:

1. It calls for the movement of a State Highway approximately 35 feet to the west of its current location. This would cost approximately \$35 million. It is unlikely that the State of Oregon or the FAA will fund this. Keeping the highway in place and moving the fence, although not a perfect solution, would bring the proposed Master Plan to near compliance along the length of the entire airport. The master plan should include language that while Aurora strives to be as safe as possible, it will never accommodate a Boeing 737 type Aircraft that would require the highway move. The resulting significantly lowered risk would make sense while saving many millions of dollars and not outraging our neighbors. The much-needed runway extension is “held hostage” by the movement of that highway.
2. The plan needs to show the ODAV main midfield ramp and taxi-lane extending south to access Taxiway A in order to allow aircraft and fuel trucks to access the airport's south end easily and safely.
3. The proposed Master Plan fails to recognize the importance of the airport to Resiliency, especially considering the Oregon State Senate’s adoption of SR-2, which specifies KUAO’s value to Oregon’s resiliency. The plan fails to include previously submitted proof the airport will

remain intact with negligible settlement after a major seismic event. It only includes a gloom and doom assessment from a two decade old DOGAMI study, which calls for site specific testing to verify its high level projections of damage after an event.

4. The proposed Master Plan does not include the entire Interior Circulation Road (ICR) as was indicated in the 2012 plan and re-submitted for consideration in this plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

Our association's members would benefit from any improvements made at the Aurora State Airport, but the proposed Master Plan, without these changes, misses the goal of adequately planning for, and promoting safe and efficient flight operations. These changes should be implemented to the proposed plan before it moves on for adoption by The Oregon Aviation Board and the FAA.

Thank you for your time-

Becky Breckenridge
Oregon Pilots Association
Director of Legislative Affairs

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#); [Rachel Montagne](#)
Subject: FW: Concerns regarding the Master Plan for KUAO
Date: Wednesday, August 6, 2025 10:22:38 AM

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 10:07 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: Concerns regarding the Master Plan for KUAO

Hello,

Good morning. Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Stephen Brenneke <stephen@brenneke.net>
Date: Wednesday, August 6, 2025 at 09:43
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Concerns regarding the Master Plan for KUAO

You don't often get email from stephen@brenneke.net. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

August 6, 2025

Alex Thomas, Planning and Programs Manager

Tony Beach, State Airports Manager

Brandy Steffen, JLA

Oregon Department of Aviation

3040 25th St SE

Salem, OR 97602

Alex.R.Thomas@odav.oregon.gov

Comments to proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

Please include in the record below these are just a few of the many concerns about the 196 page master plan.

The helicopter noise is not included in the noise analysis.

The plan does not include an appropriate expansion analysis.

The plan does not acknowledge the information provided from the recent site-specific geo-tech reports regarding seismic events expected to have a minimal impact on KUAO.

The plan does not promote public-private partnerships.

The plan does not address appropriately the length of the runway for part 135 needs.

The plan does not address Life Flight appropriately.

The plane continues to use the term “willing sellers” as a subtle way of coercing the owners inappropriately to sell and potentially taking of the private property.

The plan does not discuss well EMAS option for the drain field at the south end.

The plan does not address the fence and the highway appropriately with all considerations.

The plan lacks a satisfactory interior road.

This letter is submitted as my personal opinion after reading the Master Plan yet also the opinion of many of my colleagues who are members of CAA who continue to have significant concerns about the Aurora State Airport Master Plan.

Sincerely,

Stephen Brenneke President Columbia Aircraft Association 2025

From: [Samantha Peterson](#)
To: [Rachel Montagne](#)
Cc: [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#); [BEACH Anthony](#)
Subject: FW: Aurora State Airport Master Plan Website Comments - George Buley
Date: Wednesday, August 13, 2025 7:43:12 AM

Rachel, please add to the public involvement appendix.

Thanks,
Samantha

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Tuesday, August 12, 2025 1:56 PM
To: georgebuley@yahoo.com
Cc: Samantha Peterson <SPeterson@CenturyWest.com>
Subject: Re: Aurora State Airport Master Plan Website Comments - George Buley

Thanks for your comment George. I've passed it along to the project team.

Thanks,
BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: George Buley <noreply@jotform.com>
Sent: Wednesday, August 6, 2025 9:46 PM
To: JLA Tech Support <tech@jla.us.com>; Jen Winslow <Jen.winslow@jla.us.com>; Ashley Balsom <ashley.balsom@jla.us.com>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: Re: Aurora State Airport Master Plan Website Comments - George Buley



Aurora State Airport Master Plan Website Comments

Name	George Buley
Organization	Private Citizen
Comments or questions?	I am George Buley, a private citizen and an Airport & Airway Trust Fund Taxpayer, and I offer the following comments on the latest draft of the Aurora State Airport Master Plan Update:

1) The Airport Improvement Program (AIP) grant that funded the Airport Master Plan (AMP) update for Aurora State Airport may require the grant recipient to follow the Grant Assurance Number 8, Consultation With Users, when expending federal funds. Two weeks' notice for the public to review this complex AMP proposal does not appear to meet the 30-calendar-day notice for public consultation. Presumably, there will be another draft review of Aurora's AMP for 30 calendar days.

2) AIP Grant Assurance Number 9, Public Hearings states " In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project." Presumably, this has occurred.

3) Many good alternatives from the public were submitted to address the \$220M cost for constructing the proposed 500' runway extension. Yet it appears no proposals from

the public were formally analyzed, which is unfortunate because there was potential for at least one detailed proposal that may have helped the State substantially lower its matching share of eligible costs.

4) In conclusion, ODAV's website states that "The Oregon Department of Aviation Visions an integrated Aviation System benefiting all Oregonians." ODAV's Mission Statement emphasizes

- Customer service
- Collaboration
- Integrity
- Passion
- Healthy Relationships

Understandably, it's a balancing act, trying to weigh all of the pros and cons of each proposal to meet ODAV's Mission while addressing State, Local, and Federal requirements. A good faith step might be to disclose how the State has met AIP grant requirements by posting a copy of the Aurora State Airport's planning grant certification on the ODAV website.

Sincerely,
George Buley, Private Citizen, Aviation Trust
Fund Taxpayer

If you would like a response, please tell us the best way to contact you:

Email

Email georgebuley@yahoo.com

You can [edit this submission](#) and [view all your submissions](#) easily.

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#)
Subject: FW: KUAO Airport Master Plan Comment Letter
Date: Thursday, August 7, 2025 8:11:05 AM
Attachments: [KUAO Airport Master Plan Letter 08-06-2025.pdf](#)

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:37 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: KUAO Airport Master Plan Comment Letter

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Jonathan Buss <jbuss@bussmold.com>
Date: Wednesday, August 6, 2025 at 16:46
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>, BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Cc: brandy.steffen@jla.us.com <brandy.steffen@jla.us.com>
Subject: KUAO Airport Master Plan Comment Letter

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hello Mr. Thomas & Mr. Beach,

Please register my letter of comment and recommendations in the record for the KUAO Airport Master Plan.

Thank you.

Jonathan Buss | President

Buss Precision Mold, Inc.

13581 SE Ambler Rd | Clackamas, OR 97015

<http://www.bussmold.com>

503.652.5804 Ext. 11

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Regarding Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Alex Thomas,

I am writing to express my concerns regarding the current draft of the Aurora State Airport (KUAO) Master Plan, which falls short in several key areas:

1. Highway Relocation Proposal

The plan suggests shifting a State Highway roughly 35 feet west at an estimated cost of \$35 million—funds the State does not currently have, and which the FAA is unlikely to cover. While not perfect, a more reasonable and cost-effective approach would be to retain the highway's current placement and simply relocate the airport perimeter fence. This would substantially improve safety compliance along the airport boundary and remove the unnecessary obstacle that's currently preventing runway extension.

2. Acquisition of Adjacent Properties

The plan outlines the future acquisition of properties from "willing sellers" along the west side of the airport. This appears to be a step toward State or FAA control of privately held land. Rather than pursue this route, the State should encourage "Through the Fence" operations as described in ORS 836.642, which supports private property ownership adjacent to the airport as a means of fostering economic growth and job creation. Phasing out private ownership contradicts this purpose.

3. Resiliency Planning Oversight

The draft plan does not adequately address the airport's role in Oregon's emergency and disaster response framework—an oversight given the State Senate's adoption of SR-2 recognizing KUAO's importance in this area. The plan also fails to include engineering data previously submitted that demonstrates the airport's minimal vulnerability to seismic activity. Instead, it relies heavily on

outdated data from a decades-old DOGAMI report, which itself recommends site-specific testing.

4. Interior Circulation Road (ICR) Omission

Unlike the 2012 plan, this version omits the full development of the Interior Circulation Road, despite its known benefit in reducing Vehicle/Pedestrian Deviations (V/PDs), especially those involving vehicles. Including the complete ICR should be a priority to enhance safety.

In light of these and other issues, I believe the current draft does not meet the standard required to ensure the safe, efficient, and sustainable operation of Aurora State Airport. These concerns should be addressed before the plan is advanced for approval by the Oregon Aviation Board or submitted to the FAA.

Sincerely,

Jonathan Buss

Fixed Wing, Seaplane & Helicopter Pilot

Aurora Airport Property Owner

Aurora Airport Runway User

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re; Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

The proposed KUAO Master Plan misses the mark for the following reasons.

1. It calls for the movement of a State Highway approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, the State does not have, nor is it likely the FAA will fund. Keeping the highway in place and moving the fence, although not a perfect solution, brings us to near compliance along the whole length of the entire airport. The resulting significantly lowered risk would make sense while saving millions of dollars. The much-needed runway extension is held hostage to the movement of that highway.
2. The designation of properties to be acquired by the State and/or the FAA upon the identification of a "willing seller" is a thinly veiled plan to ultimately control the private property along the western side of the airport. The State should be promoting "Through the Fence" as per the ORS 836.642 as the statute calls for the ownership of private property adjacent to the airport as a means to bring economic development and jobs. The State should not be planning to eliminate private ownership, even in the long run by purchasing from "willing sellers".
3. The proposed Master Plan fails to recognize the importance of the airport to Resiliency, especially considering the Oregon State Senate's adoption of SR-2, which specifies KUAO's value to Oregon's resiliency. The plan fails to include previously submitted proof the airport will remain intact with negligible settlement after a major seismic event. It only includes a gloom and doom assessment from a two decade old DOGAMI study, which calls for site specific testing to verify it's high level projections of damage after an event.
4. The proposed Master Plan does not include the entire Interior Circulation Road (ICR) as was indicated in the 2012 plan and re-submitted for consideration in this

plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

For these and many other reasons, I feel the proposed Master Plan misses the goal of adequately planning for and promoting safe and efficient flight operations at Aurora State Airport. These changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

Ted Davis
971-356-1999
Trdavis1@comcast.net

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [Rachel Montagne](#); [David Miller](#); [Mark Steele](#)
Subject: FW: Helicopter Transport Services LLC. KUAO Master Plan comments to be entered into Public Records.
Date: Thursday, August 7, 2025 8:07:41 AM
Attachments: [HTS comments Aurora State Airport Master Plan August 6th 2025 Final Letter.pdf](#)

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:33 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: Helicopter Transport Services LLC. KUAO Master Plan comments to be entered into Public Records.

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Rob Fournier <fournierr@htshelicopters.com>
Date: Wednesday, August 6, 2025 at 14:23
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Helicopter Transport Services LLC. KUAO Master Plan comments to be entered into Public Records.

You don't often get email from fournierr@htshelicopters.com. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good Afternoon Alex,

Please find attached our KUAO Master Plan comments to be entered into the public record. We look forward to working with you going forward on refining this MP for the good of the public we serve.

Best Regards,

Robert D. Fournier

Chief Pilot & Director of Flight Operations

Helicopter Transport Services L.L.C.

Aerial Construction & Fire Suppression Specialists

14497 Keil Rd. NE,

Aurora, Oregon, 97002

Office (503) 776 9300 Ext. 107

Cell (331) 999 5101



HELICOPTER
TRANSPORT
SERVICES
LLC

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97302
Alex.R.Thomas@odav.oregon.gov

Re: Comments on Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

Please include this letter in the public record.

This letter is submitted on behalf of Helicopter Transport Services LLC. We continue to have significant concerns about the current draft of the Aurora State Airport Master Plan (MP), particularly in regard to its omissions, factual errors, and insufficient consideration of critical infrastructure and aviation assets.

1. Exclusion of Helicopter Transport Services and Columbia Helicopters

The Master Plan does not acknowledge the presence of Columbia Helicopters and Helicopter Transport Services (HTS)—both of which operate significant aviation infrastructure adjacent to the airport and rely on proximity to the fixed-wing facilities of Aurora State Airport to support our flight operations. Our rotary-wing aircraft operate fully within the constraints of the tower-controlled airspace and provide substantial community benefit, including over 150 jobs and vital emergency response capabilities. This omission is notable and unacceptable (MP Page 2-24).

2. National Significance of Heavy-Lift Helicopters

The Master Plan fails to recognize that Aurora hosts one of the largest concentrations of Type 1 heavy-lift helicopters in the U.S.—critical assets for wildfire and emergency response. This includes HTS's fleet, which is the largest supplier of Type 1 Fire Suppression Helicopters to the U.S. Forest Service. Aurora's strategic location near the I-5 Boone Bridge, flagged for seismic vulnerability, positions the airport as a vital node in any Cascadia Subduction Earthquake response. These facts demand acknowledgment and planning support in the MP.

3. Misrepresentation of Seismic Risk

The MP (Page 2-20) relies on outdated DOGAMI data and ignores recent site-specific geotechnical reports submitted during PAC meetings. These studies include borings down to 100 feet in three areas of the airport, indicating negligible settlement risk in the event of a seismic event. DOGAMI's own guidance indicates site-specific studies override general seismic maps. This evidence must be integrated into the MP narrative.



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4. Lack of Future Expansion Planning

Despite limited available land, the MP does not address the need for future hangars and apron space, nor does it suggest any viable solutions. FAA Advisory Circulars for Master Planning require this type of forward-looking capacity analysis.

5. Omission of Public-Private Partnerships

Oregon Revised Statute 836.642 supports public-private partnerships (PPP), and these are already active at Aurora. However, Sheet 11 shows only state-owned property having aviation uses, excluding existing private aviation operations, which misrepresents airport land use and stakeholder involvement.

6. Understatement of Runway Load Capacity

Despite a prior GRI report confirming the runway's capacity to handle aircraft up to 100,000 lbs, the MP perpetuates arbitrary lower wheel loads without scientific basis. This misrepresentation could impact the planning and use of heavier aircraft, including our own.

7. Misapplication of Part 135 Operational Needs

While the MP recognizes Part 135 activity, it fails to account for Part 135-specific runway length requirements, which are more conservative and critical for safety. Additionally, Life Flight Network, a Part 135 operator, is incorrectly described as having only an administrative HQ. Aurora is their operational and maintenance hub across multiple states.

8. Lack of Clarity on Property Acquisition

The MP continues to propose a potential taking of private aviation-use properties, despite opposition from owners. Sheet 2 has only softened this by noting "willing sellers," yet it fails to incorporate community feedback or the economic disruption such action could cause.

9. Dismissal of EMAS for Runway Safety

The MP fails to even mention Engineered Material Arresting System (EMAS) technology, which could enhance safety and extend usable runway length without impacting existing drain fields. FAA Advisory Circulars support this solution, and it was presented during the planning process. The omission is a significant oversight.

10. Misstatement of FAA Modification of Standards (MOS) Policy

The MP (Page 5-37) inaccurately states that Modifications of Standards (MOS) cannot be used during Master Planning. In reality, many airports—including international airports like San Jose—utilize MOS during the MP process. FAA guidance clearly allows for temporary MOS with remediation plans where safety is not compromised. Supporting data was presented to show that such conditions apply to Aurora.

11. ROFA Compliance Mismanagement

The MP does not explore intermediate steps to improve ROFA compliance, such as moving the fence westward or utilizing the existing ODOT easement. These practical measures would improve ROFA compliance from 90% to 98% quickly and affordably via interagency MOU—yet they are not discussed.



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12. Interior Access Road Abandonment

ODAV appears to have abandoned the 2012 plan for a complete interior service road. The current MP includes only about one-third of such a road, which significantly limits airport circulation and access for emergency and maintenance vehicles.

13. Absence of Phased Development Plan

Despite extensive discussion in PAC meetings, including Meeting 8 (Item 8.58), no phased implementation plan is included in the MP. The concept of phasing is entirely absent from the report. Instead, a single large-scale project is proposed that is economically unrealistic and offers no interim safety improvements.

14. Omission of Alternate Entrance Enhancements

A proposal to improve the "Purple Gate" entrance with upgraded access and internal road connectivity to SECAP and Van's Aircraft was made. This concept is entirely absent from the MP and would offer a meaningful improvement to airport functionality.

Conclusion

Thank you for entering these concerns into the public record. It is critically important that this Master Plan reflect real-world operations, practical solutions, stakeholder input, and the national significance of the aviation assets based at Aurora.

As it stands, the Master Plan omits key facts, ignores viable mitigation measures, and incorporates obstacles that could render execution of the plan impossible. This is not political, this is about using common sense and accurate data to serve the public good and maintain critical aviation infrastructure.

Sincerely,

Robert Fournier
Chief Pilot & Director of Flight Operations
Helicopter Transport Services LLC

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [Mark Steele](#); [W. Matt Rogers](#); [David Miller](#)
Subject: FW: AAIA Comments to 2025 KUAO MP.docx
Date: Wednesday, August 6, 2025 3:59:49 PM
Attachments: [AAIA Comments to 2025 KUAO MP.docx](#)

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, August 6, 2025 3:15 PM
To: Samantha Peterson <SPeterson@CenturyWest.com>
Subject: Fw: AAIA Comments to 2025 KUAO MP.docx

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Helbling, Tony <helbling@wilsonconst.com>
Sent: Wednesday, August 6, 2025 2:52 PM
To: THOMAS Alex R <alex.r.thomas@odav.oregon.gov>
Cc: BEACH Anthony <anthony.beach@odav.oregon.gov>; Brandy Steffen <brandy.steffen@jla.us.com>; wk@klgpc.com <wk@klgpc.com>; Ted Millar <tmillar@tlmholdingsllc.com>; Bruce Bennett <bruce@auroraaviation.com>; David Waggoner <dave@WillametteAir.com>; 'Schuster, Brad' <brad.schuster@aopa.org>
Subject: AAIA Comments to 2025 KUAO MP.docx

Alex,

See attached AAIA notes on the proposed KUAO MP in compliance with the August 6th, 2025 deadline for comments.

Please enter into the record.

(Tony or Brandy – I think Alex is on vacation – please let me know this has been received.)

Thanks,

Tony Helbling
President
AAIA

Aurora Airport Improvement Association

14797 Keil Rd NE - Aurora, Oregon 97002

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re – AAIA Comments to the Proposed Aurora State Airport Master Plan (MP)

Dear Mr. Thomas,

Aurora Airport Improvement Association would like our comments added to the record.

It is our hope, ODAV will see the merit of our concerns and change the plan accordingly.

1. The MP calls for the movement of a State Highway approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, the State does not have the \$3.5 million, nor is it likely the FAA will fund the \$31.5 million to move this highway. Keeping the highway in place and moving the fence, although not a perfect solution, brings us to approximately 98% compliance along the whole length of the entire airport. The resulting significantly lowered risk would make sense while saving tens of millions of dollars. The much-needed runway extension is held hostage to the movement of that highway.
2. Over the last 25 years, private investors have developed the land around the State-owned property at Aurora. These investments directly brought over 1000 new jobs to the airport. Additionally, this investment brought multiple thousands more jobs through secondary investment to surrounding communities. The designation of properties to be acquired by the State and/or the FAA upon the identification of a “willing seller” is a thinly veiled plan to ultimately control the private property along the western side of the airport. Pursuing those purchases will stifle future investment and/or redevelopment of older properties/structures at the airport, thus

constricting future growth. The State should be promoting “Through the Fence” and embracing private property ownership as per the ORS 836.642, celebrating the investment in private property adjacent to the airport as a means to bring economic development and jobs. The State should not be planning to eliminate private ownership, even in the long run by purchasing from “willing sellers”.

3. The proposed Master Plan fails to recognize the importance of the airport to Resiliency, especially considering the Oregon State Senate’s adoption of SR-2, which specifies KUAAO’s value to Oregon’s resiliency. The plan fails to include previously submitted proof the airport will remain intact with negligible settlement after a major seismic event. It only includes a gloom and doom assessment from a decades’ old DOGAMI study, which calls for site-specific testing to verify its high-level projections of damage after an event. The site-specific testing, the proof, as called for in the cited DOGAMI, was completed prior to and submitted during the development of the proposed Master Plan, however, it was not included.
4. The proposed Master Plan fails to recognize the importance and relevance of FAR Part 135 operations. The critical aircraft (C-II, “Bombardier Challenger”) when operated under FAR Part 91, would comply with manufacturer’s recommendations for runway length in the plan’s proposed 5,500 end state runway extension. However, that same aircraft would not be able to comply with the operational constraints imposed by FAR Part 135. This is important in that many if not all aviation insurance providers want or require FAR Part 91 operators to comply with FAR Part 135 operations standards. As ODAV seeks to promote general aviation and to bring and perpetuate meaningful development and job growth at Aurora State Airport, one would think the bare minimum (5,500’) standard explained by Century West consultants would be a starting point for a plan, not an ending point. The plan should, as has been called for since the 1976 Master Plan, include a 1000’ extension to a 6,000’ runway with the weight bearing capacity able to support the currently present, C-II Category aircraft.
5. The proposed Master Plan fails to recognize both Columbia Helicopters and Helicopter Transport Services. These are two of the largest heavy lift helicopter operators in the world that comprise approximately 70% of the world’s combined fleet. These are major employers that are depended upon for firefighting by not only the State of Oregon, but the entire nation and other countries around the world. These two companies not only operate helicopters but also own/operate fixed wing aircraft. The operation of their helicopters and airplanes are governed by the Aurora control tower in the controlled airspace. These companies are vital to the economic success of the airport, the surrounding communities, the county and the State.
6. The proposed Master Plan does not include the entire Interior Circulation Road (ICR) as was indicated in the 2012 plan and re-submitted for consideration in this plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

7. The proposed Master Plan does not even discuss or consider the use of the Engineered Material Arresting System (EMAS) option presented in detail at south runway end which would have achieved safety compliance within the RSA to eliminate any conflict with drain field and also resulted in a 200 foot longer runway beyond the proposed 5500'. The Master Plan did not even mention that this is an option available under FAA's Advisory Circulars which it should have. The FAA recommends the consideration of EMAS as a means to mitigate risk associated with per existing and socio-economic factors found to be in conflict with the RSA standards. We acknowledge the RSA is not or ever will be reduced, however, as previously submitted in the Master Planning process, the FAA not only suggests the use of EMAS within an RSA, EMAS is installed at many airports with FAA approval and funding. These are airports that face similar issues in their RSAs currently facing Aurora Airport.
8. Overall, the proposed Master Plan appears to be a thin attempt by ODAV to produce at the bare minimum, a document placing a runway extension in near limbo for the foreseeable future. By tying a runway extension to the absolutes of "bare dirt" airport design, the plan all but guarantees (and intentionally alleviates responsibility) that ODAV will ever properly support or move the airport forward in much need safety improvements as well as economic development to the benefit of surrounding communities.

For these and many other reasons, AAIA feels the proposed Master Plan does not even come close to adequately planning for and promoting safe and efficient flight operations at Aurora State Airport. Common sense changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

Tony Helbling
President
Aurora Airport Improvement Association

From: [Brandy Steffen](#)
To: [Samantha Peterson](#)
Cc: [Rachel Montagne](#)
Subject: Fw: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25
Date: Thursday, August 14, 2025 1:42:08 PM

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Helbling, Tony <helbling@wilsonconst.com>
Sent: Tuesday, August 5, 2025 3:14 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Thanks!

Tony Helbling
Logistics Manager
Wilson Construction Company
1190 NW 3rd Ave
Canby, OR 97013
Cell: 503-519-6059
Office: 503-263-6882
helbling@wilsonconst.com
www.wilsonconst.com

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Tuesday, August 05, 2025 2:11 PM
To: Helbling, Tony <helbling@wilsonconst.com>
Cc: Anthony BEACH <anthony.beach@odav.oregon.gov>; Samantha Peterson <SPeterson@CenturyWest.com>; THOMAS Alex R <alex.r.thomas@odav.oregon.gov>
Subject: Re: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hi Tony,

If you email Alex Thomas directly, that email will be forwarded to the team and included in the updated appendix.

Thanks,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Helbling, Tony <helbling@wilsonconst.com>
Sent: Tuesday, August 5, 2025 1:29 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

What happens if comments are emailed directly to Thomas as per the directions on the "Contact & Comment" tab on the website?

Will those be included or excluded?

Tony Helbling
Logistics Manager
Wilson Construction Company
1190 NW 3rd Ave
Canby, OR 97013
Cell: 503-519-6059
Office: 503-263-6882
helbling@wilsonconst.com
www.wilsonconst.com

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Tuesday, August 05, 2025 1:25 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hello PAC members,

Just a reminder to **submit [comments or input](#) on the *Draft Final Airport Master Plan*** (using the [form on the "Contact & Comment" page](#)) **no later than Wednesday, August 6, 2025** for ODAV and the Planning Team to review.

All comments will be collected and included in an updated Appendix 11 (public comments).

Thank you,
BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

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

Sent: Wednesday, July 23, 2025 4:14 PM

Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>

Subject: Aurora PAC - Draft Final Airport Master Plan available for review

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources & Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) no later than Wednesday, August 6, 2025 for ODAV and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

August 2, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re; Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

The proposed KUAO Master Plan misses the mark for the following reasons.

1. It calls for the movement of a State Highway approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, funds that the State does not have and that are unlikely to be funded by the FAA. Keeping the highway in place and moving the fence, although not a perfect solution, brings us to near compliance along the whole length of the entire airport. The resulting significantly lowered risk would make sense while saving millions of dollars. Aurora's much-needed runway extension is held hostage to the movement of that highway.
2. The designation of properties to be acquired by the State and/or the FAA upon the identification of a "willing seller" is a thinly veiled plan to ultimately control the private property along the western side of the airport. The State should be promoting "Through the Fence" as per the ORS 836.642 as the statute calls for the ownership of private property adjacent to the airport as a means to bring economic development and jobs. The State should not be planning to eliminate private ownership, even in the long run by purchasing from "willing sellers".
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plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

For these and many other reasons, I feel the proposed Master Plan misses the goal of adequately planning for and promoting safe and efficient flight operations at Aurora State Airport. These changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

James H "Jay" Hulbert III
JayHulbert@gmail.com
503.702.6403

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [David Miller](#); [W. Matt Rogers](#); [Mark Steele](#)
Subject: FW: Comments on Revised Draft Final Master Plan – Aurora State Airport (UAO)
Date: Thursday, August 7, 2025 8:07:34 AM

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:32 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: Comments on Revised Draft Final Master Plan – Aurora State Airport (UAO)

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Carol Ihlenburg <cihlenburg@outlook.com>
Date: Wednesday, August 6, 2025 at 13:53
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Fwd: Comments on Revised Draft Final Master Plan – Aurora State Airport (UAO)

You don't often get email from cihlenburg@outlook.com. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager

Brandy Steffen, JLA
Oregon Department of Transportation

Concerns from a Wylee Hangar Owner Regarding Infrastructure, Safety Alternatives, and Airport Role

To Whom It May Concern:

As a hangar and property owner within the **Wylee Hangar Association Condominium complex**, I am writing in response to the revised Draft Final Master Plan for Aurora State Airport. While I understand the airport must grow and modernize, I would like to raise several key concerns that remain unresolved and directly impact Wylee owners and users.

At the outset, let me be clear: **Wylee owners are pro-airport**. We support a **vibrant, efficiently managed aviation facility** at Aurora and want to see thoughtful improvements that benefit the full range of users. However, some planning proposals raise critical issues that must be addressed before implementation moves forward.

1. Septic and Infrastructure Impacts

If the west edge of Wylee property is claimed, we risk losing **a majority of our existing drain field**. This is not a minor inconvenience—it presents a major **infrastructure and environmental problem** for our community. Any impact to our septic system must be accompanied by **clear mitigation strategies and direct support from ODAV**, or the consequences will be unmanageable.

2. Safer and Simpler Compliance with Fence Relocation

One of the simplest and most effective safety improvements—**relocating the airport fence closer to Hubbard Highway**—has yet to be prioritized. This action would increase ROFA compliance to **98%** without requiring hangar displacement, acquisition, or costly infrastructure change. It is unclear why such a low-impact solution continues to be overlooked.

3. KUAO's Emergency Role Should Be Protected, Not Diminished

Aurora State Airport plays a vital role in **regional disaster response**. In our hangar complex, a tenant business stands ready to assist with **aerial damage assessment and emergency mapping**, providing critical capabilities in the event of a Cascadia event or wildfire. Any long-term plan must protect and enhance this public good—not displace or disrupt it.

Considering these points, I ask ODAV and the project team to:

- Reevaluate safety compliance alternatives before pursuing land acquisition

Work collaboratively with Wylee and other property owners on infrastructure impact mitigation

- Acknowledge and preserve KUAO's role in Oregon's emergency response network

We appreciate your ongoing work, and we hope this next phase of planning includes **closer collaboration with private stakeholders** who are equally committed to the airport's long-term success.

Sincerely,

Carol Ihlenburg
Hangar Owner, Wylee Hangar Association
Aurora State Airport (UAO)

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#); [Rachel Montagne](#)
Subject: FW: Confirm the record please - time sensitive
Date: Wednesday, August 6, 2025 9:56:30 AM

For the public involvement record

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 8:43 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>
Cc: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: FW: Confirm the record please - time sensitive

Good morning, please include in the public record.

Thanks,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Wednesday, August 6, 2025 8:43 AM
To: Wendie Kellington <wk@klgpc.com>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Cc: Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Ted Millar <tmillar@wwpmi.com>; Rachel Bacon <rb@klgpc.com>; Kelly Huedepohl <kh@klgpc.com>; Brandy Steffen <brandy.steffen@jla.us.com>; Aron Faegre (faegre@earthlink.net) <faegre@earthlink.net>
Subject: RE: Confirm the record please - time sensitive

Hi Wendie, yes all of the comments we have received since the beginning of the master plan are included in the record. There is no need to resend duplicate information.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>

Sent: Wednesday, August 6, 2025 7:29 AM

To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>

Cc: Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Ted Millar <tmillar@wwpmi.com>; Rachel Bacon <rb@klgpc.com>; Kelly Huedepohl <kh@klgpc.com>; Brandy Steffen <brandy.steffen@jla.us.com>; Aron Faegre (faegre@earthlink.net) <faegre@earthlink.net>

Subject: Confirm the record please - time sensitive

Importance: High

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Tony, Kenji and Alex,

Will you please confirm that the record includes all of the comments on the master plan from AAIA, TLM Holdings LLC, Ted Millar, HDSE and other stakeholders to include comments on the various elements and alternatives for the master plan from 2024 to date? If not, then today will need of course need to include a very large submittal from me, TLM, AAIA, HDSE and others to be sure that the record is complete with all of their submission in this process. If you will please confirm that the record includes all submittals to date from 2024 then that extremely large submittal today is unnecessary. Thank you. Wendie Kellington



Wendie L. Kellington | Attorney at Law.

MAILING ADDRESS:

P.O. Box 2209

Lake Oswego, OR 97035

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From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#)
Subject: FW: Aurora State Airport Master Plan Website Comments - Wendie Kellington
Date: Thursday, August 7, 2025 11:43:08 AM

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Thursday, August 7, 2025 10:03 AM
To: Samantha Peterson <SPeterson@CenturyWest.com>
Subject: Fw: Aurora State Airport Master Plan Website Comments - Wendie Kellington

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Wendie Kellington <noreply@jotform.com>
Sent: Wednesday, August 6, 2025 4:37 PM
To: JLA Tech Support <tech@jla.us.com>; Jen Winslow <Jen.winslow@jla.us.com>; Ashley Balsom <ashley.balsom@jla.us.com>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: Re: Aurora State Airport Master Plan Website Comments - Wendie Kellington



Aurora State Airport Master Plan Website Comments

Name	Wendie Kellington
Organization	TLM Holdings LLC and Ted Millar
Comments or questions?	See submittal letter that I cannot attach here and so I am sending it via email.
	I would like to receive email updates.
If you would like a response, please tell us the best way to contact you:	Email
Email	wk@klgpc.com
Phone Number	(503) 804-0535

You can [edit this submission](#) and [view all your submissions](#) easily.

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [David Miller](#); [W. Matt Rogers](#); [Mark Steele](#)
Subject: FW: TLM LTR 8.6.25
Date: Friday, August 8, 2025 11:24:44 AM
Attachments: [Exhibit 1.pdf](#)
[Exhibit 2 FINAL.pdf](#)
[TLM LTR 8.6.25 To Submit.pdf](#)

For the Aurora Appendix

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Friday, August 8, 2025 8:05 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>
Cc: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: FW: TLM LTR 8.6.25

Good morning, please include in the record.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Friday, August 8, 2025 8:05 AM
To: Wendie Kellington <wk@klgpc.com>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>; Brandy Steffen <brandy.steffen@jla.us.com>
Cc: SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; Ted Millar <tmillar@wwpmi.com>; Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Rachel Bacon <rb@klgpc.com>
Subject: RE: TLM LTR 8.6.25

Good morning,

Thank you for your comments, they'll be included in the record.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>

Sent: Wednesday, August 6, 2025 4:59 PM

To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; Brandy Steffen <brandy.steffen@jla.us.com>

Cc: SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; Ted Millar <tmillar@wwpmi.com>; Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Rachel Bacon <rb@klgpc.com>

Subject: TLM LTR 8.6.25

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good Afternoon,

Please see the attached comments on behalf of Ted Millar and TLM Holdings LLC concerning the Aurora State Airport Master Plan. Thank you. Please confirm receipt. Best, Wendie



Wendie L. Kellington | Attorney at Law.

MAILING ADDRESS:

P.O. Box 2209

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4500 Kruse Way, #340

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Wendie L. Kellington
P.O. Box 2209
Lake Oswego Or
97035

Phone (503) 636-0069
Mobile (503) 804-0535
Email: wk@klgpc.com

August 6, 2025

VIA ELECTRONIC MAIL

Alex Thomas
Planning and Programs Manager
Tony Beach
State Airports Manager
Oregon Department of Aviation
Brandy Steffen
JLA

<https://form.jotform.com/212786045653157>¹

Re: August 6, 2025, Comment Letter on Behalf of TLM Holdings LLC

Mr. Thomas, Mr. Beach and Ms Steffen,

This letter is written on behalf of PAC member and Aurora Airport private property owner, TLM Holdings, LLC, as well as its managing member, Ted Millar (both for convenience referred to in this letter as “TLM”). Please include this letter in the record for the Oregon Department of Aviation’s (ODAV) proposed Aurora State Airport Master Plan.

Thank you

TLM appreciates the work that ODAV has put into the master plan and especially appreciates that ODAV removed the inappropriate alternative that would have destroyed business jet hangars and the millions of dollars of private investment at the airport that ORS 836.640-642 encouraged and still encourages, and that those statutes support and direct ODAV to support. As we explained in other submittals, that alternative was wisely removed as inconsistent with federal law, state law and ODAV’s mission. While TLM is appreciative of those efforts, TLM continues to have serious concerns, some of which we outline here and incorporate others expressed before by reference.

Incorporation by Reference of Previous Comments from TLM, AAIA, HDSE Concerning the Development of, Proposed Elements, Alternatives, and Drafts of the Proposed Aurora State Airport Master Plan

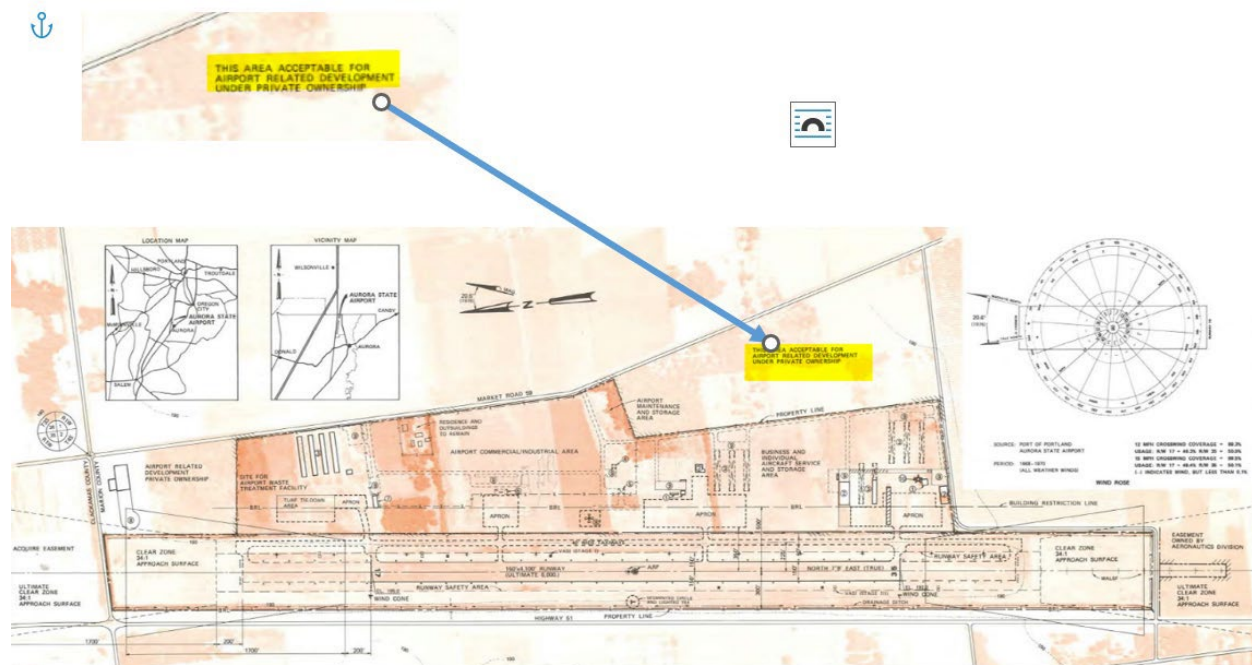
As noted above, TLM hereby incorporates into this letter, all comments – to include evidence – submitted by or on behalf of TLM, AAIA, Aurora Airport Business Center (AABC), and HDSE concerning the Aurora State Airport Master Plan from 2024 to date. We are advised by ODAV that all of those comments and evidence are in the record of this proceeding and need

¹ This form is a wholly inadequate way to elicit a response to the draft. One cannot attach any meaningful comment using it or provide any meaningful input. Please accept this letter instead.

not be resubmitted. We rely on that representation. Please understand that reiterating here any part of those previous comments or evidence does not waive TLM's position that those previous comments are herein incorporated.

The Master Plan's Airport Layout Plan Should Retain the Statement on Prior Master Plans for the TLM Property that it is Suitable For Airport Related Development in Private Ownership, and that ODAV Agreed to Include in the Final Master Plan

The previous airport master plans have designated TLM's property as "THIS AREA ACCEPTABLE FOR AIRPORT RELATED DEVELOPMENT UNDER PRIVATE OWNERSHIP." ODAV has twice previously agreed to include that designation on the final Aurora State Airport Master Plan. Exhibit 1. In fact, it must do so because as the Court of Appeals has made plain – twice – the 1976 Aurora State Airport Master Plan IS the governing land use document for the Aurora State Airport and this master plan must be consistent with it. And in that regard, the 1976 Aurora State Airport Master Plan (the entirety of which is in the record) is a part of the acknowledged Marion County Comprehensive Plan, and that 1976 master plan clearly and unmistakably designates the TLM property as: "THIS AREA ACCEPTABLE FOR AIRPORT RELATED DEVELOPMENT UNDER PRIVATE OWNERSHIP":



As we have explained and proven up in other submittals, the TLM property already has an easement for access directly from the TLM property to the KUAO runway. Specifically, the TLM property has an existing taxi lane easement that is 105' in width that goes to the Southend Corporate Airpark Condo (SECAP) that in turn connects to ODAV's main runway taxiway. This is demonstrated on TLM et al's comments dated September 3, 2024, Exhibit M. The available physical easement area on the TLM property is 82 feet due to the constraint of an adjacent existing SECAP hangar at the easement's entrance to the TLM property. As a result, there can be

no question that retaining that designation of the TLM property that is in the 1976 acknowledged KUAO master plan is necessary for ODAV to comply with not only its land use obligations, but also the through the fence statutes that govern ODAV at ORS 836.640-642. Consistent with the 1976 Master plan, Marion county Comprehensive Plan and ORS 836.640-642, the TLM property has also been approved in Marion County land use proceedings as an expansion of the Aurora Airport. The final Master Plan should be consistent with those efforts. Which requires maintaining the designation in the 1976 Master Plan for the area of the property, including TLM's property, being suitable for airport related development on private land.

ODAV Must Expand the KUAO Airport Boundary

This is to reiterate TLM's recommendations in prior submittals that ODAV is obligated to expand the KUAO land use boundary for property in the "Aeronautical Reserve" (including TLM's property) and that is acknowledged in the Marion County Comprehensive Plan, as designated for airport related use under private ownership. This is the last required step in the Oregon land use planning process for airports per the clear instructions of the Court of Appeals:

In this case, it is undisputed that the relevant part of the airport boundary is the edge of the state-owned airport property that is bordered by Keil Road. *See* OAR 660-013-0040 (the airport boundary, for purposes of ORS 836.616(2), is shown on a map "adopted by a local government" pursuant to "comprehensive plan and land use regulation requirements").¹⁷ As explained above, the provisions of ORS 836.600 to 836.630 allow airport uses and supersede ORS 215.213 and 215.283 "[w]ithin airport boundaries." ORS 836.616(2); *see also* OAR 660-013-0100 (requiring local governments to "adopt land use regulations for areas within the airport boundaries" that authorize the airport uses enumerated in ORS 836.616).

¹⁷ The map of the Aurora State Airport that has been adopted by Marion County is the 1976 Master Plan ALP, which is part of the Marion County Comprehensive Plan.

Schaefer v. Oregon Aviation Bd., 312 Or App 316, 335, 495 P3d 1267, 1279 (2021), *opinion adh'd to as modified on recons*, 313 Or App 725 (2021), *rev den*, 369 Or 69 (2021), and *rev den*, 369 Or 69 (2021).

The Master Plan Must be Based Upon Real Risk Assessment and not Blind Adherence to FAA Staff Preferences. ODAV Errs in Relegating the Badly needed Runway Extension to the End of the Planning Period and to the last Step of the Capital Improvement Program (CIP)

We have repeatedly explained in prior submittals that ODAV is mistaken in its approach to the runway extension needed for safety, of putting it last after unfunded multimillion dollar improvements that do little to nothing for safety. That is backwards. The runway must be first on the CIP because it is needed now. For safety. And has been needed. For safety. For more than a decade. Instead of prioritizing this critical safety improvement, in the master plan ODAV effectively proposes to render the runway extension impossible—or at best irrelevant—by

making the extension contingent on relocating the adjacent highway approximately some 12 feet to the west. Which Highway 551 moving prerequisite comes to the tune of millions of dollars no one has or is likely to have for the miniscule and immeasurably small public benefit such might provide.

This condition of moving an entire highway as a prerequisite to extending the runway is both unsafe and unnecessary. It endangers pilot and crew lives, conflicts with ODAV's obligations under federal law and executive orders and violates ODAV's statutory duties under ORS 836.640 to 836.642.

As we have demonstrated in the record for nearly a year, a professional risk assessment—funded by airport stakeholders—concludes that the risk posed by the highway remaining in its current location (where it has existed for 70 years) is minimal:

Phase of Flight	Rate of Occurrence	Acceptable Level
Airborne Phase	Once every 369,000 years	Yes
Landing Roll Phase	Once every 277 years (or 369 years with calculation adjustment for fence object in lieu of wing object)	Yes
Takeoff Roll Phase	Once every 1,000 years	Yes

See Aurora State Airport (UAO) Proposed Modification of Runway Object Free Area (ROFA) Design Standards, August 29, 2024, p. 14, concluding that any risk associated with extending the runway without relocating the highway falls **far below the level of risk designated as “Extremely Improbable,”** which is the lowest level of risk identified by the FAA. In contrast, the risk to pilots and crew from ODAV's master plan for the airport failing to show a meaningful extension of the runway in any reasonable timeframe is substantial and unjustifiable.

These principles compelling the master plan to show the runway extension occurring in the near term, are reinforced by AC 150-5070-6B (also in the record)) that observes what we would hope is the obvious (*viz.*), that in developing a master plan “A plan that is not realistic in terms of what can be funded will not provide much benefit to the sponsor or airport user.” The AC explains that airport elements meeting the sponsor's planning need and that can be implemented are the objective of the exercise and that “[a]lternatives not meeting” criteria for “technical feasibility, economic and fiscal soundness and aeronautical utility *** should be dismissed.” (p 74). That means the idea baked into the current draft that the runway cannot be extended as needed until the end of the master plan's planning period and then if and only if Highway 551 is moved a few feet west at considerable cost, is contrary to FAA's own rules. Here, as noted, there is no dispute that the runway extension has been critically needed for more than a decade. There is no dispute that the “sponsors planning need” is for a safe airport with an adequate runway that serves the aircraft that use the airport and that have made the airport successful.

The sponsor's planning need is not regulatory perfection as an end in and of itself, that is something that frankly few airports achieve. In this regard, think of any airport including those

with far larger airplanes than Aurora, and design “noncompliance’s” abound – Houston, MSP to name a few, all have significant transportation infrastructure existing directly under active low altitude landing operations. Moreover, if one actually listens to the FAA when they talk about this issue in public meetings, they do not demand regulatory perfection in fact. They do not demand that the highway be moved the minuscule number of feet to avoid the less than “extremely improbable” risk of a problem in the name of design perfection. Rather, the FAA asks only that the airport achieve greater design compliance. That can easily be achieved by just moving the airport fence a few feet, at an achievable cost that meets the sponsor’s needs.

Further, to the extent that the failure of the master plan to prioritize extending the runway without the runway extension being held hostage to the occurrence of the impossible, unfunded action of first moving the highway is based on federal advice, that federal advice is contrary to FAA’s rules and to Executive Orders from the President of the United States and is contrary to directives from the Office of Management and Budget which governs the FAA. *See* Exhibit 2 Executive Order (EO) 14215 (amending 1993 EO 12866); EO 14179, OMB Memorandum 25-24 and see OMB Memorandum M-25-21. For example, OMB M-25-24, (Ex. 2, p. 8), requires agencies, when “deciding whether and how to regulate,” to “assess both the costs and benefits of an intended regulatory action,” using “the best reasonably available scientific, technical, economic, and other information.” (*Id.*)

Ignoring the professional risk analysis that demonstrates that the “risk” of extending the runway with the Highway where is and has always been is infinitesimally small and falls very far below federal regulations for risk tolerances, is beyond comprehension. Requiring a desperately needed runway extension to await an unfunded, multi-million-dollar relocation of a highway—when the relocation will provide little or no public benefit—so obviously contradicts these federal policies and undermines the core objective of aviation safety – as to be inexplicable. In fact, to its credit, ODAV has never even attempted to give any reason for putting the badly needed runway extension in the last phase of the Capital Improvement Program other than to assert some FAA person or persons wants that and has threatened to withhold federal money for failing to do as they wish. But no federal rule and no aviation safety rational requires or even justifies or allows that. To the extent that an employee or employees of the FAA threatens the state’s federal funding for not acceding to such an inappropriate and unlawful FAA demand, that is an empty threat. Such threat could never be carried out by the federal administration that governs the FAA as is plain from the above authorities. The President and OMB simply would never allow it. Nor could the current FAA director.

Similarly, it is respectfully submitted that the proposed master plan’s demand that the HDSE drainfield move unless it can be proven to perfectly meet FAA’s regulatory preferences is also contrary to FAA’s rules and the above two EOs and OMB rules for agencies. The risk of a problem with the drainfield is similarly exceedingly small but the cost, harm and disruption to the airport and its private users of moving the drainfield in the name of regulatory perfection, is untenable.

We hope that you will revisit these issues and:

- Restore the designation of the TLM property in the Marion County Comprehensive Plan to an area that is suitable for airport related development in private ownership.
- Add all of the land in the aeronautical reserve, including TLM property, to the airport land use boundary.
- Put the necessary runway extension at the front of the Capital Improvement Program's near term improvements for the airport.
- Mover the airport closer to design standard compliance by moving the airport fence away from the runway a few feet within the Highway 551 right of way where there is plenty of room.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Wendie L. Kellington". The signature is fluid and cursive, with the first name "Wendie" being more prominent.

Wendie L. Kellington

WLK:wlk
Exhibits 1 and 2
CC: Clients

From: Wendie Kellington
Sent: Thursday, July 24, 2025 3:12 PM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>
Cc: Ted Millar <tmillar@wwpmi.com>
Subject: RE: 040725-UAO-ALPFullSet.pdf

Tony,

Thank you. That is very good to hear!

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Thursday, July 24, 2025 3:10 PM
To: Wendie Kellington <wk@klgpc.com>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>
Cc: Ted Millar <tmillar@wwpmi.com>
Subject: RE: 040725-UAO-ALPFullSet.pdf

Hi Wendie,

This is why we sent this out for review. Thank you, we'll make that edit and include this comment in the public record.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>
Sent: Thursday, July 24, 2025 2:33 PM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>
Cc: Ted Millar <tmillar@wwpmi.com>
Subject: RE: 040725-UAO-ALPFullSet.pdf

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Hi Tony and Kenji,

Following up on the below. The “final” draft master plan that is now out for comment, is missing the language below you said you would add. I am hoping that this is just a mistake, and you will restore it. Please let me know. This is obviously time sensitive. Thanks. Wendie Kellington

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Friday, April 11, 2025 3:01 PM
To: Wendie Kellington <wk@klgpc.com>
Cc: SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; Ted Millar <tmillar@wwpmi.com>
Subject: RE: 040725-UAO-ALPFullSet.pdf

Hi Wendie,

I spoke with our planner at the FAA, they indicated it would not be a problem to make this edit. We'll send an updated version to the FAA and publish it on the website next week.

Thanks again for your input and participation throughout this process.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>
Sent: Friday, April 11, 2025 11:44 AM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Cc: SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; Ted Millar <tmillar@wwpmi.com>
Subject: Re: 040725-UAO-ALPFullSet.pdf

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Tony, thank you. Why is this master plan different from all the others regarding the TLM property? Removing the designation of 'suitable for airport related development' is not consistent with the county plan or the idea that ODAV can acquire the property for aviation uses. ODAV does itself and aeronautics no favors with this very significant change. I strongly recommend that ODAV restore that longstanding designation.

On Apr 11, 2025, at 11:30 AM, BEACH Anthony <Anthony.BEACH@odav.oregon.gov> wrote:

Good morning Wendie,

The Airport Layout Plan (ALP) describes and graphically depicts recommended development for the Airport based on facility needs and forecast demand. The ALP Plans set is just one part of the Master Plan, and includes specific criteria for the Airport facility and sponsor-owned property to satisfy FAA requirements and grant obligations. Part of the ALP Plans set include off-airport land use, which depict city/county zoning and land use designations.

In addition to the Through The Fence Access Points being identified on the ALP, aeronautical uses on adjacent private property are depicted in the Master Plan in [Working Paper No. 1](#). Figures 2-13 and 2-16 show the “Aviation Related Through-the-fence (TTF)” and “TTF Areas.”

Thanks again for your comment.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Thursday, April 10, 2025 4:44 PM
To: Wendie Kellington <wk@klgpc.com>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>
Cc: Ted Millar <tmillar@wwpmi.com>
Subject: RE: 040725-UAO-ALPFullSet.pdf

Hi Wendie, we’ve received your comments, they’ll be included in the public record.

We will take a look and get back to you.

Thank you,

Tony Beach

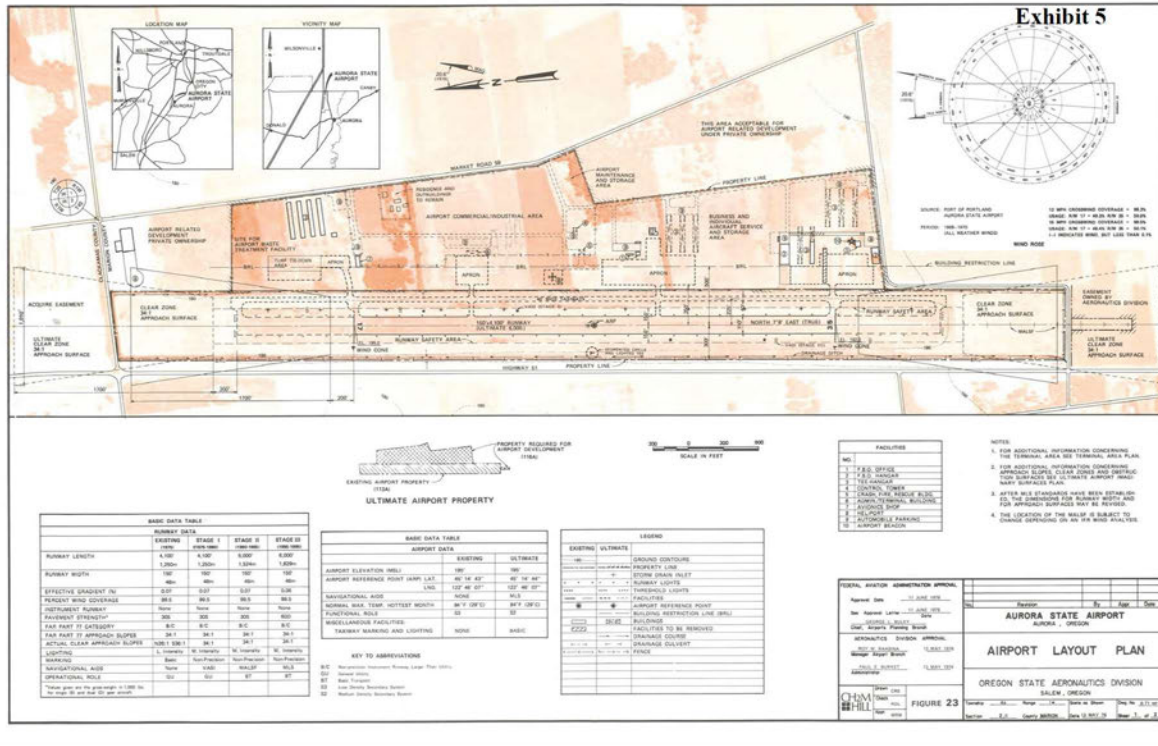
OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 CELL 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>
Sent: Thursday, April 10, 2025 4:13 PM
To: SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Cc: Ted Millar <tmillar@wwpmi.com>
Subject: 040725-UAO-ALPFullSet.pdf
Importance: High

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Kenji, Tony,

Just got the attached today. What happened to the statement that has been on every other ALP and importantly is on the ALP (image below) in the county’s acknowledged plan (1976) that says Ted’s property is suitable for airport related development? Please restore that. It matters a lot. Please let me know if you will not do so and if so what the reason is. I am hoping that this is just an oversight. That statement benefits everyone including the state’s ALP stating it can be bought by ODAV from a willing seller for airport related uses. And it is a settled land use issue – hard won. Thanks Wendie



Federal Register

Vol. 90, No. 20

Friday, January 31, 2025

Presidential Documents

Title 3—

Executive Order 14179 of January 23, 2025

The President

Removing Barriers to American Leadership in Artificial Intelligence

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose. The United States has long been at the forefront of artificial intelligence (AI) innovation, driven by the strength of our free markets, world-class research institutions, and entrepreneurial spirit. To maintain this leadership, we must develop AI systems that are free from ideological bias or engineered social agendas. With the right Government policies, we can solidify our position as the global leader in AI and secure a brighter future for all Americans. This order revokes certain existing AI policies and directives that act as barriers to American AI innovation, clearing a path for the United States to act decisively to retain global leadership in artificial intelligence.

Sec. 2. Policy. It is the policy of the United States to sustain and enhance America's global AI dominance in order to promote human flourishing, economic competitiveness, and national security.

Sec. 3. Definition. For the purposes of this order, “artificial intelligence” or “AI” has the meaning set forth in 15 U.S.C. 9401(3).

Sec. 4. Developing an Artificial Intelligence Action Plan. (a) Within 180 days of this order, the Assistant to the President for Science and Technology (APST), the Special Advisor for AI and Crypto, and the Assistant to the President for National Security Affairs (APNSA), in coordination with the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, the Director of the Office of Management and Budget (OMB Director), and the heads of such executive departments and agencies (agencies) as the APST and APNSA deem relevant, shall develop and submit to the President an action plan to achieve the policy set forth in section 2 of this order.

Sec. 5. Implementation of Order Revocation. (a) The APST, the Special Advisor for AI and Crypto, and the APNSA shall immediately review, in coordination with the heads of all agencies as they deem relevant, all policies, directives, regulations, orders, and other actions taken pursuant to the revoked Executive Order 14110 of October 30, 2023 (Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence). The APST, the Special Advisor for AI and Crypto, and the APNSA shall, in coordination with the heads of relevant agencies, identify any actions taken pursuant to Executive Order 14110 that are or may be inconsistent with, or present obstacles to, the policy set forth in section 2 of this order. For any such agency actions identified, the heads of agencies shall, as appropriate and consistent with applicable law, suspend, revise, or rescind such actions, or propose suspending, revising, or rescinding such actions. If in any case such suspension, revision, or rescission cannot be finalized immediately, the APST and the heads of agencies shall promptly take steps to provide all available exemptions authorized by any such orders, rules, regulations, guidelines, or policies, as appropriate and consistent with applicable law, until such action can be finalized.

(b) Within 60 days of this order, the OMB Director, in coordination with the APST, shall revise OMB Memoranda M–24–10 and M–24–18 as necessary

to make them consistent with the policy set forth in section 2 of this order.

Sec. 6. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
January 23, 2025.

Federal Register

Vol. 90, No. 35

Monday, February 24, 2025

Presidential Documents

Title 3—

Executive Order 14215 of February 18, 2025

The President

Ensuring Accountability for All Agencies

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. *Policy and Purpose.* The Constitution vests all executive power in the President and charges him with faithfully executing the laws. Since it would be impossible for the President to single-handedly perform all the executive business of the Federal Government, the Constitution also provides for subordinate officers to assist the President in his executive duties. In the exercise of their often-considerable authority, these executive branch officials remain subject to the President's ongoing supervision and control. The President in turn is regularly elected by and accountable to the American people. This is one of the structural safeguards, along with the separation of powers between the executive and legislative branches, regular elections for the Congress, and an independent judiciary whose judges are appointed by the President by and with the advice and consent of the Senate, by which the Framers created a Government accountable to the American people.

However, previous administrations have allowed so-called “independent regulatory agencies” to operate with minimal Presidential supervision. These regulatory agencies currently exercise substantial executive authority without sufficient accountability to the President, and through him, to the American people. Moreover, these regulatory agencies have been permitted to promulgate significant regulations without review by the President.

These practices undermine such regulatory agencies' accountability to the American people and prevent a unified and coherent execution of Federal law. For the Federal Government to be truly accountable to the American people, officials who wield vast executive power must be supervised and controlled by the people's elected President.

Therefore, in order to improve the administration of the executive branch and to increase regulatory officials' accountability to the American people, it shall be the policy of the executive branch to ensure Presidential supervision and control of the entire executive branch. Moreover, all executive departments and agencies, including so-called independent agencies, shall submit for review all proposed and final significant regulatory actions to the Office of Information and Regulatory Affairs (OIRA) within the Executive Office of the President before publication in the *Federal Register*.

Sec. 2. *Definitions.* For the purposes of this order:

(a) The term “employees” shall have the meaning given that term in section 2105 of title 5, United States Code.

(b) The term “independent regulatory agency” shall have the meaning given that term in section 3502(5) of title 44, United States Code. This order shall not apply to the Board of Governors of the Federal Reserve System or to the Federal Open Market Committee in its conduct of monetary policy. This order shall apply to the Board of Governors of the Federal Reserve System only in connection with its conduct and authorities directly related to its supervision and regulation of financial institutions.

(c) The term “independent regulatory agency chairman” shall mean, with regard to a multi-member independent regulatory agency, the chairman of such agency, and shall mean, with regard to a single-headed independent

regulatory agency, such agency's chairman, director, or other presiding officer.

(d) The term "head" of an independent regulatory agency shall mean those appointed to supervise independent regulatory agencies and in whom the agencies' authorities are generally vested, encompassing the chairman, director, or other presiding officer, and, as applicable, other members, commissioners, or similar such officials with responsibility for supervising such agencies.

Sec. 3. OIRA Review of Agency Regulations. (a) Section 3(b) of Executive Order 12866 of September 30, 1993 ("Regulatory Planning and Review"), as amended, is hereby amended to read as follows:

"(b) "Agency," unless otherwise indicated, means any authority of the United States that is an "agency" under 44 U.S.C. 3502(1), and shall also include the Federal Election Commission. This order shall not apply to the Board of Governors of the Federal Reserve System or to the Federal Open Market Committee in its conduct of monetary policy. This order shall apply to the Board of Governors of the Federal Reserve System only in connection with its conduct and authorities directly related to its supervision and regulation of financial institutions."

(b) The Director of the Office of Management and Budget (OMB) shall provide guidance on implementation of this order to the heads of executive departments and agencies newly submitting regulatory actions under section 3(b) of Executive Order 12866. Agency submissions by independent regulatory agencies under such section shall commence within the earlier of 60 days from the date of this order, or completion of such implementation guidance.

Sec. 4. Performance Standards and Management Objectives. The Director of OMB shall establish performance standards and management objectives for independent agency heads, as appropriate and consistent with applicable law, and report periodically to the President on their performance and efficiency in attaining such standards and objectives.

Sec. 5. Apportionments for Independent Regulatory Agencies. The Director of OMB shall, on an ongoing basis:

(a) review independent regulatory agencies' obligations for consistency with the President's policies and priorities; and

(b) consult with independent regulatory agency chairmen and adjust such agencies' apportionments by activity, function, project, or object, as necessary and appropriate, to advance the President's policies and priorities. Such adjustments to apportionments may prohibit independent regulatory agencies from expending appropriations on particular activities, functions, projects, or objects, so long as such restrictions are consistent with law.

Sec. 6. Additional Consultation with the Executive Office of the President. (a) Subject to subsection (b), independent regulatory agency chairmen shall regularly consult with and coordinate policies and priorities with the directors of OMB, the White House Domestic Policy Council, and the White House National Economic Council.

(b) The heads of independent regulatory agencies shall establish a position of White House Liaison in their respective agencies. Such position shall be in grade 15 of the General Schedule and shall be placed in Schedule C of the excepted service.

(c) Independent regulatory agency chairmen shall submit agency strategic plans developed pursuant to the Government Performance and Results Act of 1993 to the Director of OMB for clearance prior to finalization.

Sec. 7. Rules of Conduct Guiding Federal Employees' Interpretation of the Law. The President and the Attorney General, subject to the President's supervision and control, shall provide authoritative interpretations of law for the executive branch. The President and the Attorney General's opinions on questions of law are controlling on all employees in the conduct of their official duties. No employee of the executive branch acting in their

official capacity may advance an interpretation of the law as the position of the United States that contravenes the President or the Attorney General's opinion on a matter of law, including but not limited to the issuance of regulations, guidance, and positions advanced in litigation, unless authorized to do so by the President or in writing by the Attorney General.

Sec. 8. General Provisions. (a) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

A handwritten signature in black ink, appearing to be 'Donald Trump', located at the bottom right of the page.

THE WHITE HOUSE,
February 18, 2025.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 17, 2025

M-25-24

MEMORANDUM FOR: REGULATORY POLICY OFFICERS AT EXECUTIVE
DEPARTMENTS AND AGENCIES AND
MANAGING AND EXECUTIVE DIRECTORS OF
CERTAIN AGENCIES AND COMMISSIONS

FROM: Jeffrey B. Clark, Acting Administrator 
Office of Information and Regulatory Affairs

SUBJECT: Interim Guidance Implementing Section 3 of Executive Order
14215, Titled "Ensuring Accountability for All Agencies"

The entire "executive Power" belongs to the President alone. But because it would be "impossib[le]" for "one man" to "perform all the great business of the State," the Constitution assumes that lesser executive officers will "assist the supreme Magistrate in discharging the duties of his trust." 30 Writings of George Washington 334 (J. Fitzpatrick ed. 1939). These lesser officers must remain accountable to the President, whose authority they wield.

– *Seila L. LLC v. Consumer Fin. Prot. Bureau*, 591 U.S. 197, 213 (2020)

For the Federal Government to be truly accountable to the American people, officials who wield vast executive power must be supervised and controlled by the people's elected President. Therefore, in order to improve the administration of the executive branch and to increase regulatory officials' accountability to the American people, it shall be the policy of the executive branch to ensure Presidential supervision and control of the entire executive branch.

– Executive Order 14215, *Ensuring Accountability for All Agencies*

I. Introduction

A. Purpose

Interim Guidance Focused on EO 12866. This document provides initial implementation guidance for historically independent regulatory agencies to comply with the required regulatory provisions in Section 3. OIRA Review of Agency Regulations found in Executive Order 14215, *Ensuring Accountability for All Agencies* (EO 14215).¹ EO 12866 establishes clear regulatory principles and procedural requirements that agencies are directed to integrate into their rulemaking and administrative processes. This interim guidance clarifies independent regulatory agency obligations under EO 12866 and sets forth compliance expectations;

¹ Subsequent guidance to implement Section 4. Performance Standards and Management Objectives; Section 5. Apportionments for Independent Regulatory Agencies; and Section 6. Additional Consultation with the Executive Office of the President will be issued at a future date.

issuance of revised guidance is likely as OIRA and other relevant agencies gain experience with the implementation of EO 14215.

Centralized Review. EO 14215 seeks to ensure Presidential supervision of the Executive Branch. EO 14215 amends Executive Order 12866 (EO 12866), *Regulatory Planning and Review*, to include historically independent regulatory agencies. Pursuant to EO 12866 these agencies must now participate in centralized regulatory review led by the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget. All agencies not explicitly exempted by EO 12866, as amended by EO 14215, are subject to the requirements of EO 12866, including submission of draft regulatory actions to OIRA prior to publication in the *Federal Register*.

B. Implementation Timeline

Agencies should adhere to the following implementation timeline:

Requirement	Deadline
Begin submitting significance determination requests for any regulatory action your agency will publish on or after April 21, 2025	On or after April 17, 2025
Identify Regulatory Policy Officer/Regulatory Second	On or before April 21, 2025
Begin full compliance with EO 12866	No later than April 21, 2025

C. Structure of this Guidance

This guidance is organized as follows:

- Section II – General Questions
- Section III - Scope
- Section IV – Centralized Review of Regulations
- Section V – Accountability and Transparency
- Section VI – Additional Guidance to Agencies
- Section VII – For Further Information

II. General Questions

Q1: What is EO 14215, and what does it require for regulation?

A: EO 14215 amends EO 12866 to require the submission of all stages (e.g., advanced notice of proposed rulemaking (ANPRMs), proposed (NPRMs) and final rules) of regulatory actions promulgated by independent regulatory agencies to OIRA for a

significance determination and potential EO 12866 review. If a regulatory action is deemed significant, EO 12866 review ensures compliance with the regulatory principles of EO 12866 and the priorities of the President. The EO 12866 process can include interagency review.

Q2: What are the objectives of EO 12866?

A: The objectives of EO 12866 include enhancing planning and coordination with respect to new and existing regulatory actions; making the regulatory process more accessible to the public; ensuring the regulatory decision-making process is consistent with Federal agencies' authorities and the priorities of the President; and limiting regulations, where consistent with statute, to those that provide net benefits to the American people.

Q3: What is the regulatory philosophy of EO 12866?

A: Federal agencies should promulgate only such regulatory actions as are required by law, are necessary to interpret the law, or are made necessary by compelling public need, such as material failures of private markets to protect or improve the health and safety of the public, the environment, or the well-being of the American people.

Q4: How does cost-benefit analysis apply to the regulatory philosophy under EO 12866?

A: In deciding whether and how to regulate, to the extent permitted by law and where applicable, agencies should assess both the costs and benefits of an intended regulatory action, as well as available regulatory alternatives, including the alternative of not regulating. Analysis of costs and benefits should utilize the best reasonably available scientific, technical, economic, and other information. Further agencies' analysis submitted to OIRA should include both quantifiable measures and qualitative measures of costs and benefits that are difficult to measure. Additionally, in choosing among regulatory approaches, agencies should select those that maximize net benefits unless a statute requires otherwise. *See generally Michigan v. EPA*, 576 U.S. 743 (2015) (establishing as a general default rule that, as a basic feature of rational regulation, federal rulemaking must consider not just benefits but also regulatory costs).

Q5: What best practices does EO 12866 seek to promote?

A: A more detailed discussion of these best practices can be found in Section 1(b) of EO 12866. EO 12866 seeks to ensure that, among other things, when developing regulatory actions, agencies:

- a) identify the problem the regulatory action seeks to address and its significance;
- b) assess whether existing regulations created, or contributed to, the problem the new regulation intends to correct;
- c) identify and assess available alternatives to direct regulatory action;
- d) choose the regulatory approach, when regulation is necessary, that is most cost-effective to achieve the regulatory objective and safeguards innovation;

- e) assess the costs and benefits of an action and propose or adopt a regulatory action upon a reasoned determination that the benefits of the intended regulatory action justify its costs;
- f) base decisions on the best scientific, technical, economic and other information concerning the need for and consequences of the action;
- g) seek and incorporate, as appropriate, the costs and benefits to state, local and tribal communities;
- h) prevent the adoption of inconsistent, incompatible or duplicative regulations based upon the current regulatory landscape;
- i) tailor any regulatory action to minimize the burden to society, including individuals, businesses of differing sizes, and other entities (including small communities and government entities); and
- j) draft simple, plain language actions to minimize uncertainty and litigation risk.

III. Scope

Q6: What agencies are newly subject to EO 12866, as amended by EO 14215?

A: EO 14215 amends EO 12866’s definition of an “agency” to read “any authority of the United States that is an ‘agency’ under [44 U.S.C. 3502\(1\)](#), and shall also include the Federal Election Commission.”² As a result, the Federal Election Commission and independent regulatory agencies are newly subject to EO 12866. Under 44 U.S.C. 3502(5), “independent regulatory agency” means the:

Board of Governors of the Federal Reserve System,³
Commodity Futures Trading Commission,
Consumer Product Safety Commission,
Federal Communications Commission,
Federal Deposit Insurance Corporation,
Federal Energy Regulatory Commission,
Federal Housing Finance Agency,
Federal Maritime Commission,
Federal Trade Commission,
Interstate Commerce Commission,
Mine Enforcement Safety and Health Review Commission,
National Labor Relations Board,
Nuclear Regulatory Commission,
Occupational Safety and Health Review Commission,
Postal Regulatory Commission,
Securities and Exchange Commission,
Bureau of Consumer Financial Protection,
Office of Financial Research,

² <https://www.govinfo.gov/content/pkg/USCODE-2023-title44/pdf/USCODE-2023-title44-chap35-subchapI-sec3502.pdf>

³ Note, however, that EO 14215 exempts the Board of Governors of the Federal Reserve System and the Federal Open Market Committee in one key respect—those bodies’ conduct of monetary policy. See Question 7 for more information about excepted agencies. However, the regulation of financial institutions by these bodies is covered by EO 14215.

Office of the Comptroller of the Currency, and any other similar agency designated by statute as a Federal independent regulatory agency or commission.

With this amendment to the definition of the term “agency” in EO 12866, *all agencies* are subject to the requirements of EO 12866 unless otherwise explicitly exempt in EO 12866 or EO 14215 (as discussed in Question 7, below).

Q7: What is an “excepted” agency in EO 12866, as amended by EO 14215?

A: EO 14215 section 3(a) expressly excepts “the Board of Governors of the Federal Reserve System or to the Federal Open Market Committee in its conduct of monetary policy” from the scope of EO 12866 as amended. EO 14215 further clarifies that EO 12866 as modified “shall apply to the Board of Governors of the Federal Reserve System only in connection with its conduct and authorities directly related to its supervision and regulation of financial institutions.”

By cross reference to 44 U.S.C. 3502(1), the term “agency” in EO 14215 also does not include: the Government Accountability Office; the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities.

Q8: What is a “regulatory action” subject to the requirements of EO 12866?

A: A “regulatory action” is defined in Section 3(e) of EO 12866, which states:

“‘Regulatory action’ means any substantive action by an agency (normally published in the *Federal Register*) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking.” This definition includes policies with impacts that are regulatory, deregulatory, or transfer resources from one entity to another.

This definition also includes agency “guidance documents”, whether published in the *Federal Register* or elsewhere. “Guidance document” has the same meaning as the definition in Section 2(b) of EO 13891, *Promoting the Rule of Law Through Improved Agency Guidance Documents*, which states:

‘Guidance document’ means an agency statement of general applicability, intended to have future effect on the behavior of regulated parties, that sets forth a policy on a statutory, regulatory, or technical issue, or an interpretation of a statute or regulation, but does not include the following:

- (i) rules promulgated pursuant to notice and comment under section 553 of title 5, United States Code, or similar statutory provisions;
- (ii) rules exempt from rulemaking requirements under section 553(a) of title 5, United States Code;
- (iii) rules of agency organization, procedure, or practice;

- (iv) decisions of agency adjudications under section 554 of title 5, United States Code, or similar statutory provisions;
- (v) internal guidance directed to the issuing agency or other agencies that is not intended to have substantial future effect on the behavior of regulated parties; or
- (vi) internal Executive Branch legal advice or legal opinions addressed to Executive Branch officials.

The scope of Section 3(e) of EO 12866 can include additional “substantive actions” where the effect of the action has general applicability.

Q9: What exemptions to the definition of “regulation” or “rule” exist under EO 12866?

A: Per section 3(d) of EO 12866, the following actions are not included in the definition of “regulation” or “rule” under that EO:

- 1) “Regulations or rules issued in accordance with the formal rulemaking provisions of 5 U.S.C. 556, 557;
- 2) Regulations or rules that pertain to a military or foreign affairs function of the United States, other than procurement regulations and regulations involving the import or export of non-defense articles and services;
- 3) Regulations or rules that are limited to agency organization, management, or personnel matters; or
- 4) Any other category of regulations exempted by the Administrator of OIRA.”

IV. Centralized Review of Regulations

A. Agency responsibilities

Q10: Who within the agency is responsible for communicating with OIRA and ensuring agency compliance with the principles of EO 12866?

A: Each agency newly coming into compliance with EO 12866 should designate employees to fulfill two positions:

1) Regulatory Policy Officer

The Regulatory Policy Officer is a role that is defined in EO 12866 itself in Section 6(a)(2).

...each agency head shall designate a Regulatory Policy Officer who shall report to the agency head. The Regulatory Policy Officer shall be involved at each stage of the regulatory process to foster the development of effective, innovative, and least burdensome regulations and to further the principles set forth in this Executive order.

As a direct report to the agency head, the RPO will generally be a political appointee with the authority to approve (or obtain the approval of) policy positions on behalf of the agency. The RPO should generally be knowledgeable about all regulatory actions and policymaking the agency is actively pursuing and should be available to discuss such

actions as needed. Many agencies designate a politically appointed General Counsel to serve as the RPO.

2) Regulatory Second

The Regulatory Second is a less formal but crucial role played by a senior agency official (traditionally a career employee) who coordinates or leads an office in coordinating agency work on all regulatory actions reviewed under EO 12866. In this role, the Regulatory Second will have an agency-wide and crosscutting view of agency priorities and be able to work within their agency to obtain an agency-wide position on all areas of active discussion. This work includes both the submission and review of regulatory actions the agency itself promulgates, as well as agency review of regulatory actions from other agencies. In most agencies, this position is a repository of institutional knowledge on administrative law and process, serving as a trusted advisor to agency leadership. To that end, OIRA recommends that the role be a career position, typically within the Senior Executive Service, that is situated in a centralized office (such as the Office of General Counsel) and thus well-positioned to coordinate agency positions.

Importantly, prior to submitting draft regulations to OIRA for significance determinations under EO 12866, the Regulatory Second should conduct a review of the draft regulatory action to ensure compliance with the Administrative Procedure Act (APA), EO 12866, OMB Circular A-4, and all other applicable laws and executive orders. In many agencies, the Regulatory Second has policy, legal, and analytical staff to support them in this duty.

The Regulatory Second or that person's delegated team usually will be the main point of contact for the OIRA Desk Officer for all steps of EO 12866 review and, ideally, for Congressional Review Act determinations. EO 12866 review may necessitate regular communication exchanges between the agency and OIRA to adjudicate interagency comments; this process is coordinated by the Regulatory Second and their staff to ensure that agency speaks with one voice throughout the EO 12866 process.

We request agencies provide the name and contact information for the Regulatory Policy Office and Regulatory Second for your agency on or before April 21, 2025.

Q11: If an agency has non-statutory policies in place that are barriers to implementation of EO 12866 regulatory review, what should it do?

A: For non-statutory policies that present barriers to implementation with the regulatory review requirements of EO 12866, including policies that would infringe on the Executive Branch's legal authority to preserve the confidentiality of deliberative materials consistent with the deliberative process privilege and/or lawyer-client privilege, etc., agencies should explore and exercise any discretion available to them to facilitate EO 12866 regulatory review. To the extent that such discretion is foreclosed by existing agency policy, agencies should promptly move forward with amending their policies to better align with the EO 12866 regulatory review processes, consistent with agency

statutory obligations. Generally, regulations amending agency processes to facilitate EO 12866 review will not be subject to. Executive Order 14192, Unleashing Prosperity Through Deregulation. Informal consultation is anticipated to ensure mutual understanding and agreement. Please contact your OIRA Desk Officer to update them on the progress of this effort.

Q12: What is a significance determination request?

A: OIRA is responsible for determining which agency regulatory actions are “significant” as defined by Section 3(f) of EO 12866 and are therefore subject to EO 12866 review. In coordination with your OIRA Desk Officer (for more information, see Q. 25), agencies should submit a list of their planned regulatory actions, and indicate which actions the agency believes are significant and non-significant regulatory actions. If the information initially conveyed is enough to make a determination, your Desk Officer will notify you within 10 business days whether a planned regulatory action is a significant regulatory action; otherwise, your agency will receive follow up within that same time period. Section 3(f) of EO 12866 defines “significant regulatory action” as “any regulatory action that may:

1. Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
2. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
3. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or
4. Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in EO 12866.”

Category 4 will be interpreted in a fashion such that it is supplemented by the legal concerns relevant to the “major questions doctrine.” *West Virginia v. EPA*, 597 U.S. 697 (2022). This includes rulemakings that raise significant federalism and separation of powers issues. *See id.* 735-53 (Gorsuch, J., concurring).

Agencies should not assume that actions that appear or have appeared in the *Unified Agenda of Regulatory and Deregulatory Actions* as “Nonsignificant” will be determined the same by OIRA. Any agency anticipated EO 12866 determinations in the *Unified Agenda* are preliminary and non-binding.

Q13: How should agencies coordinate with OIRA?

A: Through the Regulatory Second or delegated point of contact (see answer to Q. 10), agencies should remain in contact with their OIRA Desk Officer (see answer to Q. 25) through the duration of review. There are multiple points before, during, and after EO 12866 review where staff-level coordination with your Desk Officer will be beneficial. For example, it may be helpful to reach out to your Desk Officer before the agency plans to submit a regulatory action for review, when agency regulatory priorities are

developed, and when new policies or external factors affect the regulatory actions under development. Given the regularity with which such developments occur, your Desk Officer may find it useful to establish a recurring check-in to avoid the need for one-off updates.

Importantly, during review of a regulatory action, all interagency communication – including with components with the EOP – regarding the action under review should take place through OIRA. This is critical to ensure version control, ensure visibility on all ongoing discussions, ensure that agencies are coordinating effectively, and helps to streamline EO 12866 review. A good practice is to mark interagency communications as deliberative and pre-decisional.

Q14: What is the role of the regulatory impact analysis required by Sections 6(a)(3)(B)(ii) and 6(a)(3)(C) of EO 12866?

A: Regulatory analysis is a tool that is used to anticipate and evaluate the likely consequences of regulatory actions (including both costs and benefits). It provides a formal means of organizing the evidence on the key effects—both intended and unintended—of various alternatives that should be considered in developing regulations. Among its purposes are: (1) to learn if the quantified and non-quantified benefits of an action are likely to justify its costs, (2) to promote accountability to the public; (3) to discover which of various possible alternative policy approaches would produce the highest net benefits; and (4) establish a strong record for the policy choices in the action. Sometimes careful analysis can show that stringency should be adjusted from the level that initially seemed optimal; sometimes a different combination of regulatory provisions is shown to be more appropriate; sometimes a creative policy option will emerge. As one of its regulatory principles, EO 12866 states that agencies developing a regulation “shall assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs.”

Q15: How should the problem a regulatory action addresses be identified?

A: EO 12866 states that a regulating agency “shall identify the problem that it intends to address (including, where applicable, the failures of private markets or public institutions that warrant new agency action) as well as assess the significance of that problem.” Consideration of and modeling of an underlying market failure—e.g., externality, market power, or asymmetric information—is a standard starting point for conducting cost-benefit analysis of a regulatory action or other government intervention. Importantly, analysis should not take as given either that a market failure exists, or that a single policy intervention corrects an identified market failure.⁴ However, if careful analysis indicates

⁴ Observing the mere potential for market failure is only an initial step in a regulatory analysis. Next, the extent of any relevant market failure should be quantified, with the resulting estimates integrated into subsequent regulatory analysis. As regulatory analysis is developed, there should be a continual assessment of whether the analysis as a whole achieves internal consistency. For example, if a market failure cannot be identified, then an estimate of positive monetized net benefits may be the result of missing cost categories, inappropriate methods or data, or implausible assumptions.

that either or both conditions hold, then an economic analysis or regulatory impact analysis (RIA) can, to a large extent, fulfill the EO 12866 Section 6(a)(3)(B)(i)-(C) requirements for a problem statement. Other portions of a draft action (e.g., preamble (or narrative, such as in a sub-regulatory document)) should state whether an action is required by statute or judicial directive and should explain the specific authority under which the regulatory action is being issued, the extent of agency discretion as granted by statute, and permissible regulatory instruments.

Q16: How should EO 12866 analysis be conducted?

A: OIRA's guidance on how to conduct regulatory impact analysis is set forth in [OMB Circular A-4](#), which includes the following principles⁵:

- The scope of an analysis should incorporate significantly affected entities, and the time horizon should encompass all important effects of the agency action (including, where relevant, new equilibria being reached in affected markets). A regulatory analysis should present undiscounted year-by-year streams of benefit, cost, and transfer estimates for the full analytic time horizon.
- A rule's costs, benefits, and transfer impacts must be assessed relative to a baseline—that is, the predicted future state of the world in the absence of the rule being analyzed.⁶ A baseline should be grounded in evidence (including quantitative data, to the extent feasible) and reflect a best assessment of market evolution and other factors that may change independent of the rule. In some instances, an agency may provide analysis using multiple baselines, especially when doing so would highlight areas of uncertainty or (as discussed in more detail in the answer to Q 17, below) of agency policy discretion. This allows OIRA to perform sensitivity analysis of any assumptions made by the agency concerning the baseline chosen or other issues. Regardless of the number of baselines used in an analysis, presentation of effects without transparent characterization of the relevant baseline is generally not appropriate.
- Agencies should assess potential impacts of substantial magnitude, as experienced by any individuals or entities in society. Such effects may include, but are not limited to: private-sector compliance costs and savings; government administrative costs and savings; gains or losses in consumer or producer surplus; discomfort or inconvenience costs and benefits; and gains or losses of time in work, leisure or travel settings. Opportunity cost is the comprehensive cost principle.

⁵ <https://www.reginfo.gov/public/jsp/Utilities/a-4.pdf>

⁶ Clarifications of Circular A-4's guidance occasionally appears in peer-reviewed OMB reports. See, for example, the discussion of interactions between analytic baselines, regulatory compliance, and aggregation across analyses on p. 6 in the [2017 Report to Congress on the Benefits and Costs of Federal Regulations](https://trumpwhitehouse.archives.gov/wp-content/uploads/2019/12/2019-CATS-5885-REV_DOC-2017CostBenefitReport11_18_2019.docx.pdf) (https://trumpwhitehouse.archives.gov/wp-content/uploads/2019/12/2019-CATS-5885-REV_DOC-2017CostBenefitReport11_18_2019.docx.pdf).

- Agency analysis should extend beyond the direct effects of agency action and encompass any important ancillary or indirect effects.⁷ In summing or otherwise listing effects, care should be taken to avoid either double-counting or undercounting.
- The precise consequences (benefits, costs, or transfers) of a rule may be uncertain, so agencies should analyze and present important uncertainties—for example, by noting the probability of effects’ occurrence.
- For a significant rule requiring analysis under EO 12866 Section 6(a)(3)(C), there should be quantification, to the extent feasible, of the effects of alternative regulatory approaches. These alternatives may be characterized by different degrees of stringency, different combinations of provisions, or other such changes from the regulation as proposed or finalized.⁸
- Any technical or scientific information (including economics or other social science) that the agency relies upon for its analysis should comply with the Information Quality Act (IQA), OMB’s information quality guidance, and the regulating agency’s supplemental IQA guidance.⁹ Please see questions 38 and 40, below, for more detail about the Information Quality Act.
- Monetized estimates of benefits, costs and transfers should be: (a) presented as undiscounted year-by-year streams, and (b) summarized as annualized values using 7% and 3% discount rates (and, optionally, other rates, if relevant for a particular regulatory action’s analysis).

Generally, the extent of regulatory analysis should be commensurate with the magnitude of the regulation being proposed or finalized, though in conjunction with any statutory analytic requirements, this presumption may not hold. For instance, although the principles of Circular A-4 are relevant to analyses conducted under EO 12866 Section 6(a)(3)(B)(ii), the Circular more formally applies when annual regulatory effects may exceed \$100 million (or otherwise meet the criteria of Section 3(f)(1) or the Congressional Review Act’s Section 804(2)) and thus trigger the analytic requirements of EO 12866 Section 6(a)(3)(C). As a further example, formal quantitative uncertainty analysis becomes a requirement under Circular A-4 when regulatory effects exceed \$1 billion.

Authorities other than EO 12866 may require analysis; examples include the agency’s authorizing statute, the Regulatory Flexibility Act (see question 45, below) and the Paperwork Reduction Act (see question 41, below, and pra.digital.gov). Additionally, the

⁷ For some regulations, costs can be associated with activity that does not itself yield benefits, but instead may prompt intermediate actions that connect those effects with ultimate beneficial outcomes. For instance, a regulation may require collection and dissemination of information related to safety practices; the information itself does not make anyone safer, but its greater availability may prompt more widespread use of safety practices. An analysis should avoid the inappropriate omission of the costs of these activities (such as more widespread safety practices, in the example above) when indicating — quantitatively or qualitatively — that there will ultimately be beneficial outcomes.

⁸ The anticipated state of the world in the absence of agency action restates the analytic baseline, and thus its inclusion in an RIA’s alternatives assessment would not serve the goal of increasing the informational content of the overall regulatory impact analysis.

⁹ Section 515 of Public Law 106–554; H.R. 5658. OMB’s IQA Guidelines: <https://www.federalregister.gov/documents/2002/02/22/R2-59/guidelines-for-ensuring-and-maximizing-the-quality-objectivity-utility-and-integrity-of-information>

Congressional Review Act (CRA; see question 44 below) sets forth provisions for which at least some analysis would be an integral aspect of compliance—e.g., analysis of whether any conditions of CRA Section 804(2) have been met. These other analyses have the potential, given agencies’ longstanding familiarity with conducting them, to offer an accessible starting point for complying with the analysis requirements of EO 12866 and Circular A-4. For example, quantification of the effects of alternative regulatory approaches, per item 6 above, would use many of the same inputs as an analysis informing a designation under Section 804(2) of the Congressional Review Act (quantifying effects of a regulation as finalized).

OIRA staff are available to lead training sessions on general analytic practices and for consultations as individual analyses are developed. To request training or consultations, please contact your OIRA Desk Officer.

Q17: If a statute gives an agency little or no discretion over the issuance of a regulatory action (including how to craft its provisions or whether to regulate at all), is EO 12866 analysis still required, and if so, are there areas of special emphasis in conducting such an analysis?

A: Yes, EO 12866 analysis is generally required. Even when statute prevents the use of cost-benefit analysis in decision-making, presenting evidence about likely regulatory consequences provides transparency for the public. When assessing the economic effects of the first rule that implements a statutory requirement, agencies should account for the effects of the statute itself—that is, they should use a without-statute baseline.¹⁰ The regulatory analysis should provide clarity about the extent of agency discretion (if any), by presenting clear provision-by-provision estimates, by using a supplementary assessment comparing against a with-statute baseline, or both. Circular A-4 notes that the Regulatory Alternatives portion of a regulatory impact analysis may include assessment of approaches that are not statutorily permissible, when doing so would provide useful transparency.

Q18: If a regulatory action has been determined “significant” by OIRA, when do we submit the item to OIRA for review?

A: If a regulatory action has been designated “significant” by OIRA, agencies should submit the final, complete draft package to OIRA when it is ready for review, and generally should anticipate up to 90 days for review. A complete package means the regulatory documents have been through your agency’s required internal clearance processes and are considered “final” drafts that represent the views of the agency as a whole. The package should also include any required cost benefit analyses, alternative analyses, and other legal and policy requirements associated with rulemaking such as tribal consultations, a federalism analysis, and others. Please let your Desk Officer know when you submit items to OIRA so they can begin the review and centralized

¹⁰ The terms “pre-statute baseline” and “post-statute baseline” are used in Circular A-4. The baseline for a regulatory analysis is the predicted future state of the world in the absence of the policy being assessed, so “without-statute” or “with-statute” are clearer terms, in that they avoid the potentially misleading temporal element of the prefixes “pre” or “post.”

coordination process promptly. The more policy coordination on the front end of submission the better chance of moving the rule in less than 90 days.

Q19: If a regulatory action has been determined “significant” by OIRA, when may we publish it?

A: Agencies may publish or otherwise make public a significant regulatory action only after OIRA has concluded its review, as discussed in Q22.

Q20: How do we submit a significant regulatory action to OIRA for review?

A: To facilitate the submission of significant regulatory actions, as well as other aspects of the regulatory review process, GSA’s Regulatory Information Service Center (RISC) manages an information system that is used by both agencies and OIRA. This system, called the RISC/OIRA Consolidated Information System (ROCIS), is a secure, web-based platform that provides secure, role-based access for OIRA and federal agencies.¹¹ If you need assistance with ROCIS, please consult the user manual located on the landing page of rocis.gov, contact the GSA help desk, or ask your OIRA Desk Officer.

Q21: What does OIRA’s review process look like for “significant” regulatory actions?

A: Once your agency submits a complete package to ROCIS for OIRA for review and it is accepted, your Desk Officer shares it with the relevant, affected Executive Branch entities. This may include other Executive Branch agencies (inclusive of historically independent regulatory agencies), White House policy councils, and legal review offices. These materials are treated with sensitivity given their deliberative and pre-decisional nature, and neither the materials nor any communications regarding their content are shared with entities outside of the Executive Branch. This includes communication with the legislative branch government. When a regulatory action is under review with OIRA, all interagency communication regarding the action should be coordinated through OIRA, as discussed in Q13. This OIRA-coordinated interagency process is also likely to replace the need for agencies to submit comments on each other’s regulatory actions during the public comment period as part of the rulemaking docket, as any interagency concerns should have been raised within the EO 12866 review process.

Executive Branch reviewers review the materials for consistency with the President’s priorities, adherence to statutory requirements, and analytic cohesion. EO 12866 generally allows up to 90 calendar days for this review to occur, and agencies should plan accordingly, although OIRA notes that at all times it attempts to complete review as expeditiously as possible, particularly as to rules that are deregulatory in nature. During this review period, you may receive comments or questions from OIRA, and you are encouraged to respond promptly in order to ensure adherence to this rigorous timeline.

¹¹ In addition to facilitating the EO 12866 review process, ROCIS supports the business processes, needs, and workflows relating to the development of the Unified Agenda of Regulatory and Deregulatory Actions and Regulatory Plan, the review and approval of Information Collection Requests (ICRs) under the Paperwork Reduction Act, and the review of System of Record Notices and Matching Agreements under the Privacy Act.

Additionally, there are sometimes emergency situations in which OIRA must act more quickly than normal procedures would allow, in which case the agency should notify OIRA as soon as possible to schedule the rulemaking proceedings so as to permit sufficient time for OIRA to conduct an adequate review.

Q22: What happens when OIRA concludes review of a regulation?

A: After interagency and EOP comments have been addressed and any elevation issues have been resolved, OIRA will initiate the “conclusion of review” process with the agency. This final stage allows the agency and OIRA to confirm the final versions of all documents under review, as they will be submitted to the *Federal Register* for publication. No substantive changes of any kind can take place after EO 12866 review is concluded on a package. However, this does not prevent agencies from making editorial changes in response to edits from the Office of the *Federal Register* between conclusion of review and publication in the *Federal Register*. Nor does this prevent agencies from making changes between the proposed and final rulemaking stages in response to public comments.

At conclusion of review, the following information will be made public via RegInfo.gov:

- the date that the regulatory action was received for review in ROCIS, and the date that review was concluded;
- the Regulatory Identification Number (RIN), issuing agency/subagency, and the title of the rulemaking; and
- the conclusion action.

There are several categories of “conclusion action” when OIRA concludes review on a rule. These include:

- Concluded without Change – The EO Package was reviewed by OIRA, and no substantive changes were necessary.
- Concluded with Change – The EO Package was reviewed by OIRA and responsive changes were made by the agency to the submission.
- Improperly Submitted – OIRA determined that the EO package was not appropriate for OIRA review.
- Returned for Reconsideration – OIRA returns the EO Package for reconsideration by the agency.
- Withdrawn – The submitting agency asked that the EO package be withdrawn from consideration.

Q23: What are “OIRA letters” and when might one be sent?

A: The Administrator of OIRA has the authority to issue several different types of letters pertaining to review.

- Return Letter – During the course of OIRA’s review of a draft regulatory action, the Administrator may decide to send a letter to the agency that returns the draft for reconsideration. Such a return may occur if the quality of the

agency's analyses is inadequate, if the regulatory standards adopted are not justified by the analyses, if the action is not consistent with the regulatory principles stated in EO 12866 or with the President's policies and priorities, or if the action is not compatible with other Executive Orders or statutes. Such a return does not necessarily imply that either OIRA is opposed to the draft regulatory action. Rather, the return letter explains why OIRA believes that the action would benefit from further consideration by the agency.

- Prompt Letter – The purpose of the prompt letter is to suggest an issue that OIRA believes is worthy of agency priority. Rather than being sent in response to the agency's submission of a draft regulatory action for OIRA review, a "prompt" letter is sent on OMB's initiative and contains a suggestion for how the agency could improve its regulatory framework.
- Review Letter – The OIRA Administrator issues "review" letters at various stages of the rulemaking process. A "review" letter following the issuance of a proposed rule may urge the agency to perform additional regulatory analysis or consider other alternatives prior to finalizing the rule. A "review" letter following the issuance of a final rule may offer implementation advice or explain OMB's dispute resolution process. These letters are issued in the Administrator's discretion.

These letters are generally made public and, particularly in the case of return or review letters, are typically a last-case resort should internal Executive Branch resolution processes not succeed.

B. OIRA responsibilities

Q24: What are OIRA's core responsibilities within the EO 12866 review process?

A: OIRA is responsible for:

- a) making a determination whether a regulatory action is significant and should be subjected to review and the depth of economic analysis that is required;
- b) interagency review of the regulatory action that has been accepted;
- c) analyzing the draft regulatory action for consistency with the principles of EO 12866; and
- d) hosting calls requested by the public to share their views on the regulatory action, among other roles.

Q25: What is an OIRA Desk Officer?

A: Desk Officers, also called Policy Analysts, are the primary staff-level points of contact for each agency within OIRA. Desk Officers coordinate the review of each regulatory action submitted to OIRA and will build review teams in OIRA and across the EOP including experts in economic analysis, statistics, science, technology, privacy, etc. as appropriate. If you do not know who your OIRA Desk Officer is, please reach out to the contact address provided at the end of this guidance document to inquire.

Q26: How does OIRA make a significance determination?

A: As the EO 12866 review process involves a substantial commitment of time both by EOP and agency personnel, OIRA will determine whether conducting such a review is appropriate. This determination is made based on whether the regulatory action implicates one or more of the four conditions set forth in Sec. 3(f) of EO 12866. If the regulatory action meets the Sec. 3(f)(1) threshold that it may have \$100 million or more in impacts in any year, it will be deemed “economically significant”, including where one or more of the other conditions is met, requiring a more robust regulatory impact analyst that is consistent with the principles of OMB Circular A-4. If a regulatory action meets none of the conditions, OIRA will deem it “not significant” and allow the agency to proceed with publication of the action.

Q27: How does OIRA decide to which agencies or EOP components is a regulatory action distributed?

A: OIRA distributes the regulatory action to EOP components with interest or overlapping jurisdiction over the subject matter. OIRA welcomes any suggestions from the drafting agency regarding the importance of including particular agencies.

Q28: What is the interagency review aspect of the EO 12866 review process?

A: When an agency submits a regulatory action to OIRA for review, it will be distributed for interagency and EOP review. Review iterates between reviewers and the drafting agency until conclusion.

Q29: How does the EO 12866 process handle overlapping equities between the drafting agency and reviewers?

A: As noted earlier, review is an iterative process that may involve interagency comment, discussion, and/or policy discussion. Interagency proceedings conducted by OIRA under EO 12866 are deliberative.

Q30: How long is EO 12866 review?

A: EO 12866 presumptively provides up to 90 calendar days for review, and many reviews organically conclude well before that milestone, while some conclude after it. As noted above, EO 12866 review is an iterative process.

V. Accountability and Transparency

Q31: What information relating to regulatory actions submitted to OIRA is available to the public via *Reginfo.gov*?

A: To assure greater openness and accountability in the regulatory review process, EO 12866 requires OIRA to publicly log all agency regulatory actions under review. *Reginfo.gov*, is a publicly facing website that is updated daily with specific information regarding OIRA review. The publicly logged information includes the title of the regulatory action; the stage of rulemaking; the date review started, agency’s requested significance and upon conclusion whether the action is “significant” or “economically significant” a brief abstract of the action entered by the agency; and upon conclusion,

conclusion status. When the action is concluded in ROCIS, the conclusion date is also populated on *Reginfo.gov*. The public log does not include the actual text of the draft documents, as those are considered deliberative and pre-decisional until OIRA concludes review.

Q32: What are EO 12866 meetings?

A: EO 12866 meetings occur at the initiative of external parties who request a meeting to present views about a regulatory action under OIRA review. Congressional meeting requests also follow the EO 12866 meeting process when a regulatory action is under review. The requestor may also invite other parties to attend. Per EO 12866, OIRA invites representatives from the drafting agency. Occasionally, other agencies or members of the EOP may also attend.

EO 12866 meetings serve as listening sessions. Members of the public can share their views on a regulatory action, as well as any scientific, technical, social, economic, or information drawn from individual experience that may be helpful to the government while reviewing a regulatory action. Government officials may ask clarifying questions but will not share deliberative or pre-decisional information about the regulation under review. EO 12866 meetings are not a substitute for public comments submitted to the rulemaking agencies, but they offer an additional opportunity to convey information to the government. EO 12866 meetings can provide the government with information that it would not be able to gather during interagency review and bring to light new information about how a regulatory action might positively or negatively impact particular stakeholders or lead to unintended consequences or present unforeseen opportunities.

Q33: What public disclosures are made for the EO 12866 meetings OIRA has with the public on regulatory actions under review?

A: The primary purpose of EO 12866 disclosure requirements in Section 6(b) concerning EO 12866 meetings has always been to make transparent communications between the public and the Executive Office of the President while a regulatory action is under review. EO 12866 also establishes a disclosure process regarding the OIRA Administrator's (or his/her designee's) meetings with outside parties during formal review of a regulatory action, if such meetings occur. In such instances, OIRA discloses the subject, date, and participants of the meeting on the *Reginfo.gov* website, as well as any materials provided to OIRA at such meetings. Public disclosure about meetings with outside parties is a cornerstone of a fair and transparent regulatory review process. OIRA currently releases information about EO 12866 meetings at: <https://www.reginfo.gov/public/do/eom12866Search>.

Q34: Are written comments OIRA receives on regulatory actions under review disclosed publicly?

A: OIRA occasionally receives written materials from outside parties concerning regulatory actions under OIRA review. OIRA will forward these materials to the issuing

agency within 10 working days of receipt and disclose them on Reginfo.gov. Issuing agencies will be responsible for putting these written materials in the rulemaking docket.

Q35: Are documents that are exchanged during interagency review disclosed publicly?

A: As a general matter, documents exchanged during the review process are considered deliberative materials that are not subject to public disclosure. Upon external party request, following the conclusion of OIRA review and after a regulation is published in the *Federal Register* or otherwise made public by the issuing agency, OIRA will provide the drafting agency's initially submitted document. OIRA will also provide written correspondence exchanged between senior officials in OIRA and the issuing agency.

Q36: How do the requirements of The Government in the Sunshine Act of 1976 interact with EO 14215?

A: The Government in the Sunshine Act of 1976 (Sunshine Act or Act) requirements apply to any agency "headed by a collegial body composed of two or more individual members, a majority of whom are appointed to such position by the President with the advice and consent of the Senate, and any subdivision thereof authorized to act on behalf of the agency (5 USC 552(e))."

The Sunshine Act requires that every portion of every "meeting" of an agency shall be open to public observation, and any associated documents be made public, unless it falls within one of ten exemptions. A "meeting" is defined as "the deliberations of at least the number of individual agency members required to take action on behalf of the agency where such deliberations determine or result in the joint conduct or disposition of official agency business," 5 U.S.C. § 552b(a)(2).

OLC's opinion of October 8, 2019 states that, "[t]he Sunshine Act's requirements would not preclude compliance with EO 12866, because most discussions between a covered agency and OIRA would likely not qualify as a 'meeting.' As the Supreme Court explained in *FCC v. ITT World Communications, Inc.*, 466 U.S. 463 (1984), Congress was cognizant in drafting the Sunshine Act that 'the administrative process cannot be conducted entirely in the public eye.' Id. at 469. The Act is therefore limited to 'meetings' as defined above. See id. at 471 (holding that a 'meeting' must involve deliberations 'sufficiently focused on discrete proposals or issues as to cause or be likely to cause the individual participating members to form reasonably firm positions'). Many of the consultations that occur in the EO 12866 process likely would not meet that standard. As the Court explained, 'informal background discussions that clarify issues and expose varying views' are a necessary part of an agency's work,' and the Act was not intended to 'prevent such discussions.' Id. at 469–70. A 'meeting' also must involve 'at least the number of individual agency members required to take action on behalf of the agency.' 5 U.S.C. § 552b(a)(2). An exchange of views between OIRA and the staff of an agency (or its Chairman) during the EO 12866 process would not qualify. Thus, the Sunshine Act would be consistent with applying EO 12866 to independent agencies."

Per the OLC opinion, the typical EO 12866 interagency review process would not implicate the Sunshine Act because an exchange of views between OIRA and agency staff does not constitute a “meeting” under the Act. However, a meeting and vote may be necessary to adopt any changes to the regulatory action resulting from 12866 review. To avoid unnecessarily revealing confidential information subject to the deliberative process privilege, any such changes should be adopted in a single concluding vote as the culmination of the review process.

Q37: How does the EO 12866 process intersect with the Information Quality Act (IQA)?

A: EO 12866 requires that agency regulatory actions be informed by the best available evidence. The IQA (Section 515 of Public Law 106–554; H.R. 5658), requires OMB to promulgate guidance to agencies ensuring the quality, objectivity, utility, and integrity of information (including statistical information) disseminated by Federal agencies. Under the IQA, agencies shall ensure that the information relied upon when making regulatory decisions is high-quality. Agencies must also ensure that the data underlying all aspects of their regulatory analyses and risk assessments meet the above IQA standards. Both EO 12866 and the IQA work together to provide transparency and quality of information used by agencies in their regulatory actions.

Q38: Who is responsible for ensuring that the evidence used to support regulatory actions meet the IQA standards?

A: Agencies, the public, and OIRA have roles in ensuring the quality, objectivity, utility, and integrity of the information they disseminate through a regulatory action. Agencies are responsible for providing public access to the information they use in their regulatory actions, any peer-review processes used in the regulatory action, and responding to any requests for correction from the public. The public can provide input throughout the EO 12866 process and can make requests for correction to any information disseminated by the agency. OMB is responsible for ensuring that the agencies meet their obligations under the IQA throughout the EO 12866 process. Agencies should identify an official responsible for implementation of the IQA and provide that individual’s contact information to their OIRA Desk Officer via email and cc MBX.OMB.InformationQuality@omb.eop.gov.

Q39: What resources are available to support agency compliance with the IQA?

A: The IQA directed OMB to issue government-wide guidelines that provide policy and procedural guidance to Federal agencies for ensuring and maximizing the quality of information disseminated by Federal agencies, including a process for requesting correction. These guidelines and related initiatives are described below:

- Information Quality Guidelines (2002) – The IQA Guidelines implement the statutory requirements of the IQA, and provide a framework for oversight of the quality of information disseminated by the Federal government. OMB designed the guidelines to help agencies ensure and maximize the quality, utility, objectivity and integrity of the information that they disseminate (meaning to share with, or give access to, the public).

- Peer Review Bulletin (2004) – The Peer Review Bulletin (the Bulletin) establishes government-wide guidance aimed at enhancing the practice of peer review of government science documents. Peer review is an important procedure used by the scientific community to ensure the quality of published information. Peer review can increase the quality and credibility of the scientific information generated across the Federal government.
- OMB M-19-15: Improving Implementation of the Information Quality Act (2019) – OMB M-19-15 builds on, and does not replace, the OMB Information Quality Guidelines. It provided implementation updates in the context of innovations and subsequent policy in the information landscape as well as common questions that have arisen since the OMB Guidelines were issued.
- Improving Implementation of the Information Quality Act: Frequently Asked Questions (2023) – The purpose of these FAQs is to answer questions that Federal agencies have often asked about how to apply OMB Guidelines and OMB M-19-15.

Q40: How does the Paperwork Reduction Act interact with EO 12866?

A: The Paperwork Reduction Act, as implemented in 5 CFR 1320, establishes the process through which agencies receive approval from OMB to collect information from the public. For standard information collections, agencies must publish two sequential *Federal Register* notices that seek comment from the public on any proposed collection of information prior to submitting such a request to OMB for approval.

Some information collections are initiated, amended, or eliminated by an agency rulemaking. In such cases, 5 CFR 1320.11 establishes the process that agencies shall use to seek comment from the public and submit for OMB approval for information collections in proposed and final rules. For information collections associated with significant regulatory actions, supplemental information regarding the information collection may be requested by your Desk Officer during EO 12866 review of the underlying action.

Q41: Do forms, surveys, and other information collections need to be reviewed by OIRA as part of a regulatory action?

A: In general, yes, all information collection requests (ICRs) associated with a regulatory action need to be submitted to OMB for review through ROCIS. Because such ICRs may contain deliberative information about an associated regulatory action, consult with your OIRA Desk Officer regarding the timing of submission.

Q42: How should agencies handle information collections currently under review that are associated with a proposed or final rule?

A: Agencies should consult their OIRA Desk Officer on proposed rule(s) with a related ICR currently under review.

Information collections associated with nonsignificant proposed and final rules should continue to be published for public comment and submitted to OMB for review as specified in OMB's implementing regulations at 5 CFR 1320.11. If OMB filed comments on the collection and deferred review at the proposed rule stage, the agency must resubmit the collection to OMB for review when the agency finalizes the associated rule. Consistent with 5 CFR 1320.11, when the final rule is published in the *Federal Register*, the agency shall explain how any collection of information contained in the final rule responds to any comments received from OMB or the public and any modifications made in the rule. If requested by OMB, the agency shall include OMB's comments in the preamble to the final rule. The collection will then be reviewed by OMB consistent with the requirements of 5 CFR 1320.11.

If OMB "preapproves" the collection and it remains unchanged from when it was preapproved, then the agency can take action in ROCIS to finalize the approval and receive an OMB control number. But if there were substantive changes to the collection, then the agency must resubmit the collection to OMB for review and approval. If there is uncertainty about whether the changes are substantive, the agency should consult its OIRA Desk Officer.

For collections associated with proposed and final rules that have not yet published, and are therefore not yet public, please discuss with your Desk Officer how to submit the rule for prepublication review. To preserve the deliberative nature of the rulemaking process, do not upload the information collection into the ROCIS PRA module until after the rule has published.

Q43: How do the requirements of EO 12866 interact with preexisting agency requirements under the Congressional Review Act (CRA)?

A: An agency's obligations under the CRA, or any other statute, do not change and are not impacted by their compliance with EO 12866. The CRA creates a special category of "major rules" and requires OIRA to determine at the final rule stage whether a rule is major per the criteria listed at 5 U.S.C. § 804(2). The CRA's definition of major rule closely corresponds to the economic standard for "significant regulatory action" in Section 3(f)(1) of EO 12866. The language is not identical (and a rule could potentially be economically significant under EO 12866 but not major under the CRA or vice versa). For final stage regulatory actions submitted for review pursuant to EO 12866, OIRA will incorporate the CRA major determination into its standard EO 12866 review process. Agencies should include both a proposed significance determination and a proposed determination of whether the rule is major under Section 804(2) when submitting a significance determination request to OIRA pursuant to EO 12866, as amended by EO 14215. For rules determined not to be significant under EO 12866, OIRA will make the major determination at the significance determination stage.

Q44: What are the interactions between analyses conducted under EO 12866 and the Regulatory Flexibility Act?

A: As noted under Section 6(a)(3) of EO 12866, agencies are expected to adhere to the Regulatory Flexibility Act, among other applicable requirements, including the Paperwork Reduction Act. The Small Business Administration's Office of Advocacy offers [guidance](#) on how to comply with the Regulatory Flexibility Act, which requires analysis of regulatory effects experienced by small entities.¹² By comparison, analysis conducted under EO 12866 should reflect a society-wide perspective, including small and large entities (business and non-profit entities and state, local, territorial, tribal and federal levels of government), as well as consumers and other individuals. Whereas regulatory alternatives assessed in an Initial or Final Regulatory Flexibility Analysis should be focused on approaches that would be feasible under the regulating agency's statutory authority and would reduce adverse impacts on small entities (as compared with effects of the regulation as proposed or finalized), regulatory alternatives assessed in an EO 12866 analysis may be implementable only with statutory revisions (the formal analysis might eventually help inform such revisions) and should be broad enough to include options that are more and less costly to society than the proposed or finalized regulatory action.

Q45: Does EO 14215 interact with the Unfunded Mandates Reform Act?

A: No, the definition of "agency" in the Unfunded Mandates Reform Act of 1995 (UMRA) is not impacted by the issuance of EO 14215 and agency practice under UMRA is not expected to change.

Q46: What is the *Unified Agenda of Federal Regulatory and Deregulatory Actions*?

A: The Unified Agenda of Federal Regulatory and Deregulatory Actions, established in Section 4 of EO 12866, provides uniform reporting of data on regulatory and deregulatory activities under development throughout the Federal Government, covering approximately 60 departments, agencies, and commissions including independent regulatory agencies. Each edition of the Unified Agenda includes regulatory agendas from all Federal entities that currently have regulations under development or review. Agencies of the United States Congress are not included. Fall editions of the Unified Agenda include The Regulatory Plan, which presents agency statements of regulatory priorities and additional information about the most significant regulatory activities planned for the coming year.

¹² <https://advocacy.sba.gov/wp-content/uploads/2019/06/How-to-Comply-with-the-RFA.pdf>

Q47: What is the historically independent regulatory agency’s role in the Unified Agenda of Federal Regulatory and Deregulatory Actions?

A: Such agencies should already be in compliance with the Unified Agenda of Federal Regulatory and Deregulatory Actions process. Please consult with your OIRA Desk Officer if you have questions regarding participation in the Unified Agenda process.

- i. Section 4(b) of EO 12866 requires agencies, including independent regulatory agencies, to publish a regulatory and deregulatory agenda.
- ii. In Section 4(b) of EO 12866, the term “agency” or “agencies” shall also include those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(10).¹³ Each agency shall prepare an agenda of all regulations under development or review, at a time and in a manner specified by the Administrator of OIRA. See Section 4(b) for more on what should be in the agenda at a minimum.
- iii. In Section 4(c) of EO 12866, the term “agency” or “agencies” shall also include those considered to be independent regulatory agencies, as defined in 44 U.S.C. 3502(10). (1) As part of the Unified Regulatory Agenda, beginning in 1994, each agency shall prepare a Regulatory Plan (Plan) of the most important significant regulatory actions that the agency reasonably expects to issue in proposed or final form in that fiscal year or thereafter. See Section 4(c) for more on what should be in the Regulatory Plan at a minimum.

Q48: Why Publish the *Unified Agenda for Federal Regulatory and Deregulatory Actions*?

A: Section 4(b) of EO 12866 requires agencies to publish a regulatory and deregulatory agenda. The *Unified Agenda of Federal Regulatory and Deregulatory Actions* is a compilation of each agency’s regulatory agenda, broadly defined. A central goal of the agenda is to promote transparency and open government. In addition, the agenda furthers the purposes of the Regulatory Flexibility Act (5 U.S.C. § 601 et seq.) (RFA); EO 13132, “Federalism,” 64 FR 43255 (August 4, 1999); the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1501–04, 1531–38, 1551–56 (UMRA); and the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. § 601 (SBREFA).

VI. Additional Guidance to Agencies

Q49: How should agencies consider sequencing of internal processes with EO 12866 review?

A: As a general matter, OIRA recognizes that Commissions or Boards may have differing requirements as far as procedural voting to approve sending a draft regulatory action to the *Federal Register* for publication. As part of the implementation of EO 14215, agencies should update their voting procedures to ensure that draft regulatory actions are sent to OIRA for a significance determination under EO 12866 *before* publication. As

¹³ Note: this definition of ‘agency’ in Executive Order 12866 cites to the definition in the Paperwork Reduction Act (PRA) of 1980. The PRA was reauthorized (and definitional sections were reorganized) in 1995. While the current PRA defines ‘person’ at 3502(10), the reference was originally to the definition of ‘independent regulatory agency’ now found at 3502(5).

noted earlier, the significance determination process is deliberative. Should a draft regulatory action be found “significant” under EO 12866, Commissions, etc. will need to update their voting procedures to ensure that the OIRA-reviewed version of the draft regulatory action is the one sent to the *Federal Register*. If a substantive change is made to the document following OIRA’s conclusion of review, the document must be resubmitted to OIRA for clearance of those changes.

Q50: Where an agency has discretion, can it continue to make draft regulatory actions public before publication in the *Federal Register* for notice and comment?

A: Barring statutory mandates, under no circumstances should agencies disclose to the public any draft regulatory action prior to completion of EO 12866 review, which includes OIRA’s significance determination under EO 12866 and the review of any regulatory action found to be “significant” under EO 12866. Section 8 of EO 12866 outlines the process that should occur before an agency publishes a regulatory action in the *Federal Register*.

If your agency believes that you have a statutory mandate of this nature that would impede this sequencing of events, please contact your Desk Officer as soon as possible to discuss, and prior to submitting your first regulatory submission to OIRA for review.

Q51: How should agencies handle public statements following votes to adopt their rules?

A: To ensure the confidentiality of pre-decisional, deliberative materials that are part of the EO 12866 process, public disclosure of regulatory actions subject to EO 12866 review should not occur during the EO 12866 review process. While, in the past, some agencies, and members of the Commissions for those agencies have issued public statements following a vote related to rulemakings, such agencies and Commissioners should now tailor their public statements as appropriate to reflect the specific procedural step voted upon—for example, voting only to send the rulemaking to OIRA for EO 12866 review, and limiting public statements accordingly. Additionally, such public statements should not disclose the substance of the draft sent to OIRA unless it was already made public through a statutory mandate (please contact your OIRA Desk Officer as soon as possible and prior to your first regulatory submission to discuss any statutory mandates of this nature).

Q52: What should historically independent regulatory agencies do if a regulatory action is already published and it is expected that the action will be finalized in the future?

A: Agencies should submit a significance determination request under EO 12866 to OIRA for review before publishing the final regulatory action. Please see Question 12 on submitting a significance determination for more information.

Q53: How does an agency comply with Executive Order 14192, *Unleashing Prosperity Through Deregulation*?

A: Unless expressly exempted or prohibited by statute, EO 14912 applies to historically independent agencies. Please refer to OIRA's [Guidance on Implementing Section 3 of EO 14192 \(OMB Memorandum M-25-20\)](#) for further information.¹⁴

Q54: What if we have agency specific issues that may necessitate flexibility with the requirements of EO 12866?

A: OIRA understands that some agencies may have statutory or regulatory requirements that may necessitate deviations from how OIRA has historically implemented EO 12866. Prior to the issuance of this guidance, OIRA has reached out to your agencies to work to better understand any of such circumstances and identify solutions. To the extent that there are still unresolved concerns, please notify your OIRA Desk Officer as soon as possible. Such circumstances may include agency-specific requirements related to: disclosure, voting, transparency, risk analysis, or cost-benefit analysis.

VII. For Further Information

Q55: How do I contact OIRA to ask any remaining questions?

A: If you know your OIRA Desk Officer, please feel free to reach out to them directly. Otherwise, please contact the OIRA Independent Agency Working Group at OIRAIIndependentAgencyTeam@omb.eop.gov.

¹⁴ <https://www.whitehouse.gov/wp-content/uploads/2025/02/M-25-20-Guidance-Implementing-Section-3-of-Executive-Order-14192-Titled-Unleashing-Prosperity-Through-Deregulation.pdf>

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#); [Rachel Montagne](#)
Subject: FW: Confirm the record please - time sensitive
Date: Wednesday, August 6, 2025 9:56:30 AM

For the public involvement record

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 8:43 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>
Cc: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: FW: Confirm the record please - time sensitive

Good morning, please include in the public record.

Thanks,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Wednesday, August 6, 2025 8:43 AM
To: Wendie Kellington <wk@klgpc.com>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Cc: Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Ted Millar <tmillar@wwpmi.com>; Rachel Bacon <rb@klgpc.com>; Kelly Huedepohl <kh@klgpc.com>; Brandy Steffen <brandy.steffen@jla.us.com>; Aron Faegre (faegre@earthlink.net) <faegre@earthlink.net>
Subject: RE: Confirm the record please - time sensitive

Hi Wendie, yes all of the comments we have received since the beginning of the master plan are included in the record. There is no need to resend duplicate information.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: Wendie Kellington <wk@klgpc.com>

Sent: Wednesday, August 6, 2025 7:29 AM

To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>; THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>

Cc: Tony Helbling - Wilson Construction Company (helbling@wilsonconst.com) <helbling@wilsonconst.com>; Ted Millar <tmillar@wwpmi.com>; Rachel Bacon <rb@klgpc.com>; Kelly Huedepohl <kh@klgpc.com>; Brandy Steffen <brandy.steffen@jla.us.com>; Aron Faegre (faegre@earthlink.net) <faegre@earthlink.net>

Subject: Confirm the record please - time sensitive

Importance: High

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Tony, Kenji and Alex,

Will you please confirm that the record includes all of the comments on the master plan from AAIA, TLM Holdings LLC, Ted Millar, HDSE and other stakeholders to include comments on the various elements and alternatives for the master plan from 2024 to date? If not, then today will need of course need to include a very large submittal from me, TLM, AAIA, HDSE and others to be sure that the record is complete with all of their submission in this process. If you will please confirm that the record includes all submittals to date from 2024 then that extremely large submittal today is unnecessary. Thank you. Wendie Kellington



Wendie L. Kellington | Attorney at Law.

MAILING ADDRESS:

P.O. Box 2209

Lake Oswego, OR 97035

PHYSICAL ADDRESS

4500 Kruse Way, #340

Lake Oswego Or 97035

(503) 636-0069 office

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wk@klgpc.com

www.wkellington.com



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August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re; Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

The proposed KUAO Master Plan misses the mark for the following reasons.

1. It calls for the movement of a State Highway approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, the State does not have, nor is it likely the FAA will fund. Keeping the highway in place and moving the fence, although not a perfect solution, brings us to near compliance along the whole length of the entire airport. The resulting significantly lowered risk would make sense while saving millions of dollars. The much-needed runway extension is held hostage to the movement of that highway.
2. The designation of properties to be acquired by the State and/or the FAA upon the identification of a "willing seller" is a thinly veiled plan to ultimately control the private property along the western side of the airport. The State should be promoting "Through the Fence" as per the ORS 836.642 as the statute calls for the ownership of private property adjacent to the airport as a means to bring economic development and jobs. The State should not be planning to eliminate private ownership, even in the long run by purchasing from "willing sellers".
3. The proposed Master Plan fails to recognize the importance of the airport to Resiliency, especially considering the Oregon State Senate's adoption of SR-2, which specifies KUAO's value to Oregon's resiliency. The plan fails to include previously submitted proof the airport will remain intact with negligible settlement after a major seismic event. It only includes a gloom and doom assessment from a two decade old DOGAMI study, which calls for site specific testing to verify it's high level projections of damage after an event.
4. The proposed Master Plan does not include the entire Interior Circulation Road (ICR) as was indicated in the 2012 plan and re-submitted for consideration in this

plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

For these and many other reasons, I feel the proposed Master Plan misses the goal of adequately planning for and promoting safe and efficient flight operations at Aurora State Airport. These changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

Kory MacGregor
Hangar Foxtrot Owner

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re –Comments to proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

Please include this letter in the public record.

On behalf of Fly North of Known LLC (operating as Aurora Flight Training), we are writing to express serious concerns regarding the draft Aurora State Airport Master Plan (AMP) and its practical implications for current businesses on the field.

As an active flight school based at Aurora State Airport, we rely on predictable, safe, and accessible infrastructure to serve our students, instructors, and aircraft owners. While we appreciate the effort that has gone into developing a long-term vision, the current plan lacks a clear, actionable strategy for how existing businesses will continue to operate during major redevelopment efforts—particularly if facilities are to be demolished or relocated.

We are especially concerned by:

Overemphasis on idealized compliance standards at the expense of practical, phased implementation that would allow for continuity of operations.

Lack of a defined transition plan for tenants whose buildings are marked for removal or replacement. Without a clear path forward, this puts businesses like ours at significant risk of disruption or closure.

Misalignment of spending priorities, where certain projects (like potential highway relocation) are given precedence over more immediate, safety-beneficial improvements like a modest runway extension.

Lack of collaboration with Through-the-Fence users and airport stakeholders, despite their direct financial and operational contributions to the airport's ecosystem.

We urge ODAV to revisit the plan with the goal of balancing long-term compliance with near-term feasibility, and to actively involve current airport users in shaping a more grounded, collaborative strategy.

Aurora State is a unique airport, serving a vital general aviation community. With thoughtful adjustments to the AMP—including transitional support for tenants and a realistic, phased improvement schedule—we believe the airport can grow safely and sustainably.

Sincerely,

Abel Magana
Owner
Fly North of Known LLC
ABN Aurora Flight Training

August 2, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re: Comments to Proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

The proposed KUAO Master Plan misses the mark for the following reasons.

1. It calls for the movement of a State Highway approximately 35 feet to the west of its current location. This at a cost of approximately \$35 million, the State does not have, nor is it likely the FAA will fund. Keeping the highway in place and moving the fence, although not a perfect solution, brings us to near compliance along the whole length of the entire airport. The resulting significantly lowered risk would make sense while saving millions of dollars. The much-needed runway extension is held hostage to the movement of that highway.
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plan. Vehicle/Pedestrian Deviations (V/PDs) are a significant threat at this airport, and an ICR would significantly reduce V/PDs as most are vehicle related.

For these and many other reasons, I feel the proposed Master Plan misses the goal of adequately planning for and promoting safe and efficient flight operations at Aurora State Airport. These changes should be implemented to the proposed plan before it moves on for adoption by the Oregon Aviation Board and the FAA.

Sincerely,

(signed)

Ronald A. May
Columbia Aviation Association Member

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Rachel Montagne](#); [Mark Steele](#)
Subject: FW: KUAO Master Plan Testimony
Date: Thursday, August 7, 2025 8:08:30 AM
Attachments: [8-6-25 submission.pdf](#)

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:35 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: KUAO Master Plan Testimony

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Lukas Nickerson <nickersonlukas@gmail.com>
Date: Wednesday, August 6, 2025 at 15:42
To: brandy.steffan@jla.us.com <brandy.steffan@jla.us.com>, THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>, SUGAHARA Kenji <Kenji.SUGAHARA@odav.oregon.gov>
Subject: KUAO Master Plan Testimony

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Brandy and Alex - Good Afternoon,

Please find the attached testimony for the KUAO Mater Plan.

Kind regards,
Lukas Nickerson

August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602 Alex.R.Thomas@odav.oregon.gov

Dear Sirs:

SUBJECT: Comments on proposed Aurora State Airport Master Plan

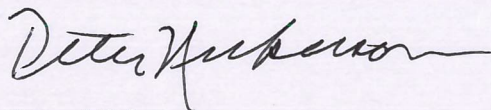
This letter is submitted on behalf of Pacific Skies Aviation, an Oregon-registered limited liability company. We are both a property owner and business operator on the Aurora Airport. We continue to have significant concerns about the Aurora State Airport Master Plan.

We enthusiastically support the State's efforts to improve the Aurora Airport. We ask that primary consideration be given to the needs/opinions of those that use, or potentially use the airport. Indeed, we support solicitation of input from community members, however those should be considered as secondary as the airport was built and in use before most of the community members' presence.

We stand ready to provide you with our input and support. Thank you for your consideration.

Lastly, I request that this message be included in the record.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Nickerson", with a long horizontal flourish extending to the right.

Peter Nickerson
Owner/Operator
Pacific Skies Aviation LLC

From: [Samantha Peterson](#)
To: [Rachel Montagne](#)
Subject: FW: Aurora PAC - Draft Final Airport Master Plan available for review
Date: Wednesday, August 13, 2025 9:06:36 AM

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Thursday, July 24, 2025 4:04 PM
To: Samantha Peterson <SPeterson@CenturyWest.com>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: FW: Aurora PAC - Draft Final Airport Master Plan available for review

Good afternoon, please include in the public record.

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455
M-F 7:30am – 4pm

From: BEACH Anthony
Sent: Thursday, July 24, 2025 4:03 PM
To: Brandon Reich <BREICH@co.marion.or.us>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan available for review

Hi Brandon,

In the coming weeks we will be reaching out to Marion County directly for its review of the draft final airport master plan for compatibility with the County's acknowledged comprehensive plan.

You're welcome to provide feedback as a PAC member, and/or through the County's Comp Plan review. To answer your questions, some homes near the airport west of the highway, and near Keil Road south of the airport may be impacted depending on the amount of right of way required for the highway/road shift. No buildings for commercial businesses at the airport will be affected.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION
STATE AIRPORTS MANAGER
OFFICE 503-378-2523 **CELL** 503-302-5455

From: Brandon Reich <BREICH@co.marion.or.us>
Sent: Thursday, July 24, 2025 8:00 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan available for review

You don't often get email from breich@co.marion.or.us. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

I am working with Austin to submit comments related to the land use permitting that would be required for the preferred alternative. I understand that home would be removed or relocated when the highway shifts west. Are commercial businesses at the airport affected too? Would those buildings be relocated or removed? This will help me prepare my comments.

Thank you,

Brandon Reich
Planning Director

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, July 23, 2025 4:15 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan available for review

 **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.

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources

& Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) no later than Wednesday, August 6, 2025 for ODAV and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager

From: [Brandy Steffen](#)
To: [Samantha Peterson](#); [Rachel Montagne](#)
Subject: Fw: Aurora PAC - Draft Final Airport Master Plan available for review
Date: Thursday, August 14, 2025 1:42:53 PM

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Brandon Reich <BREICH@co.marion.or.us>
Sent: Friday, July 25, 2025 1:37 PM
To: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>; Brandy Steffen <brandy.steffen@jla.us.com>
Cc: Austin Barnes <ABarnes@co.marion.or.us>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan available for review

I have an additional question. Alternative 1A became the preferred alternative, correct? I thought I read that in the document, but now I can't find that discussion. For the detail maps, the ones that are for 1A are the ones that closest match the preferred alternative? Such as figure 5-17.

Thank you,

Brandon

From: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Sent: Thursday, July 24, 2025 4:03 PM
To: Brandon Reich <BREICH@co.marion.or.us>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan available for review

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Hi Brandon,

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You're welcome to provide feedback as a PAC member, and/or through the County's Comp Plan review. To answer your questions, some homes near the airport west of the highway, and

near Keil Road south of the airport may be impacted depending on the amount of right of way required for the highway/road shift. No buildings for commercial businesses at the airport will be affected.

Thank you,

Tony Beach

OREGON DEPARTMENT OF AVIATION

STATE AIRPORTS MANAGER

OFFICE 503-378-2523 CELL 503-302-5455

M-F 7:30am – 4pm

From: Brandon Reich <BREICH@co.marion.or.us>
Sent: Thursday, July 24, 2025 8:00 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: RE: Aurora PAC - Draft Final Airport Master Plan available for review

You don't often get email from breich@co.marion.or.us. [Learn why this is important](#)

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Planning Director

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, July 23, 2025 4:15 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan available for review

 **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.

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](https://publicproject.net/auroraairport#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources & Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) no later than Wednesday, August 6, 2025 for ODAV and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [Mark Steele](#); [David Miller](#); [W. Matt Rogers](#)
Subject: FW: Comments to proposed Aurora State Airport Master Plan
Date: Thursday, August 7, 2025 8:08:10 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Centrex Construction Letter to Mr. Thomas 2025.pdf](#)

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Wednesday, August 6, 2025 5:35 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: Comments to proposed Aurora State Airport Master Plan

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357

WWW.OREGON.GOV/AVIATION

From: Jimmy Severson <Jimmy@centrex.cc>
Date: Wednesday, August 6, 2025 at 15:33
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Comments to proposed Aurora State Airport Master Plan

You don't often get email from jimmy@centrex.cc. [Learn why this is important](#)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Mr Thomas,

Please see attached letter, for the record, expressing some of our concerns regarding the Aurora State Airport Master Plan.

Thank you for your consideration.

Cheers,

Jimmy Severson
Centrex | President
805-223-1324
Jimmy@centrex.cc



August 6, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Aviation
3040 25th St SE
Salem, OR 97602
Alex.R.Thomas@odav.oregon.gov

Re –Comments to proposed Aurora State Airport Master Plan

Dear Mr. Thomas,

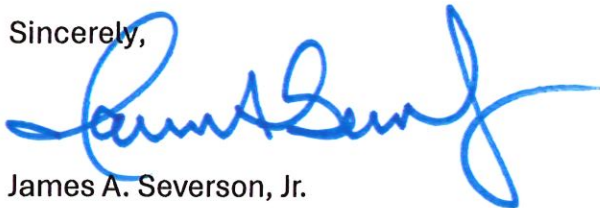
Please include in the record.

This letter is submitted on behalf of Centrex Construction, Inc. as we continue to have significant concerns about the Aurora State Airport Master Plan.

The study does not promote properly the public-private partnerships as designated by existing State of Oregon Revised Statute 836.642, and as actually functions at the airport. Sheet 11 of drawings indicates only the ODAV owned property has aviation uses. All other private property with aviation uses seem to be ignored.

The study does not acknowledge the much larger weight capacity (100,000lbs) of the runway as shown in the GRI report of several years ago and continues to arbitrarily lower wheel loads with no scientific basis.

Sincerely,



James A. Severson, Jr.
President
Centrex Construction, Inc.

From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#); [Rachel Montagne](#)
Subject: FW: Aurora Airport comment
Date: Tuesday, August 5, 2025 8:23:55 AM
Attachments: [ODAV Master Plan Response Letter.docx](#)

For the Appendix

From: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Sent: Tuesday, August 5, 2025 8:21 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>; Samantha Peterson <SPeterson@CenturyWest.com>; BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: FW: Aurora Airport comment

Hello,

Please include within the UAO record.

ALEX THOMAS
OREGON DEPARTMENT OF AVIATION (ODAV)
POLICY, PLANNING, & PROGRAMS MANAGER

CELL 971-375-2357
WWW.OREGON.GOV/AVIATION

From: David Watt <wattdj@comcast.net>
Date: Tuesday, August 5, 2025 at 07:22
To: THOMAS Alex R <Alex.R.THOMAS@odav.oregon.gov>
Subject: Aurora Airport comment

[You don't often get email from wattdj@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good morning.

Attached is a letter with regards to the draft master planning around the Aurora Airport. We were told that we could make comments with regards to the current draft and the subsequent study that was done. If you have any questions or would like to speak about the letter please let me know.

Thank you
David Watt

August 5, 2025

Alex Thomas, Planning and Programs Manager
Tony Beach, State Airports Manager
Brandy Steffen, JLA
Oregon Department of Transportation
2040 25th St SE
Salem, OR 97602

RE: Comments on the Aurora State Airport Master Plan

Hello,

We are writing to you to communicate our concern over the current master planning for the Aurora Airport. We are two of the many individuals who are owners of a hangar at the airport, more specifically the Wylee Hangars Condominium complex, and we are not encouraged with recent developments for the ODAV Draft Master Plan for the airport.

After reading through the plan as well as information provided to us by our association, one thing really stands out to us is how the ODAV Master Plan and the study associated with it don't really seem to care about the individuals and businesses who currently use the airport. In fact, it feels like there is clearly an agenda that ignores and devalues us as individuals who have a vested interest in the future of this airport and its use.

The study makes this point clear through its omission of how the master plan will effect companies like Columbia Helicopters, or via the remarks around the idea of buying out privately owned hangars. There has to be another idea or a means to achieve the necessary safety upgrades by adjusting fences or via a plan that does not include the idea of getting rid of privately owned hangars.

Aurora Airport is vital to the community it serves. How are we supposed to support a master plan that does not support those who have already invested in the infrastructure via businesses or for private use.

Thank you,

David Watt and Suzi Hill



August 5, 2025

Kenji Sugahara, Aviation Director
Alex Thomas, Planning & Programs Mgr.
Oregon Department of Aviation
3040 25th St. SE
Salem, OR 97302

Timothy House, Lead Airport Planner
Seattle Airports District Office
Federal Aviation Administration
2200 S 216th St.
Des Moines, WA 98198

Via email

RE: Comments on Aurora Airport Draft Final Master Plan

Dear Director Sugahara, Mr. Thomas, and Mr. House:

The City of Wilsonville is a jurisdiction impacted by the operations of the Aurora State Airport and adjacent through-the-fence private properties that are conducted under the regulatory authority of the Oregon Department of Aviation (ODAV) and the Federal Aviation Administration (FAA). The City of Wilsonville has been an active participant for over 20 years in relation to the Aurora State Airport, including serving on the Planning Advisory Committee (PAC) for the Aurora State Airport Master Plan process in both 2011-2012 and the current 2021-2025 Master Plan process. During this time, the City has sought to collaborate with local governments and state and federal agencies to ensure planning efforts are collaborative and comply with Oregon public process and land use laws.

The following comments reflect those made by the City of Wilsonville and many of our partners throughout the Master Plan process, as many of our concerns have not been adequately addressed. Please enter this letter into the public record for the Aurora State Airport Master Plan Project.

Safety

It was less than a year ago, on August 31, 2024, that the Fairview, OR community near the Troutdale Airport experienced a deadly plane crash that caused extensive damage to homes and other property. That crash occurred approximately 1.3 miles from the end of the runway. A similar distance from the Aurora State Airport would put a crash on the leading edge of some of our most densely populated areas.

Complicating matters, the Aurora State Airport ("Aurora Airport") notably lacks firefighting equipment on site, dramatically increasing the risk of a disaster claiming lives and property. As outlined in the current draft of the Aurora State Airport Master Plan ("Draft Master Plan"), ODAV plans to rely on Portland International Airport's foam fire-fighting

apparatus nearly an hour away. The Draft Master Plan does not adequately address emergency and timely fire-fighting response. Additionally, the Aurora Airport sits on soils that are prone to liquefaction during a major Cascadia Subduction Zone earthquake, which would likely cause significant runway damage. The Draft Master Plan fails to outline seismic upgrades to protect the Aurora Airport during a major earthquake event.

ODAV currently allows larger, heavier aircraft to use the Aurora Airport than the airport's rating allows. This action further decreases public safety and damages the runway surface. Additionally, modifications of public safety standards have placed the Aurora Airport in a position where the FAA is now demanding alterations to alleviate the public safety risk.

The FAA has told the public that a "No Action" alternative is not possible because the Aurora State Airport is already violating too many air safety requirements. Rather than seeking to implement strategies to reduce the number of larger, heavier aircraft, the Draft Master Plan instead envisions reclassifying the airport's rating and spending over \$180 million in capital improvement projects and property acquisition to accommodate air traffic never previously contemplated in prior legally-adopted Master Plans. Funding has not been identified for these improvements, especially considering the significant decreases in federal funding available. The City of Wilsonville rejects the assumption that capital construction is the only way to achieve safety requirements. Directing air traffic to use an airport facility appropriate for their class of plane is a viable alternative.

Environmental Hazards

The Aurora Airport is not served by urban-level services such as water and sewer, instead relying on an aging and inadequate septic system. ODAV proposes to conduct urban-level activities without adequate infrastructure in violation of multiple Statewide Land Use Goals.

The Draft Master Plan inadequately studies the treatment of pollution from sewage, fuel, stormwater runoff, and other sources. EPA-listed per- and poly-fluoroalkyl substances (PFAS) chemicals, known as "forever chemicals" because of their resistance to breaking down in the environment, are prevalent at airports. The Aurora Airport appears on both EPA and Oregon DEQ lists of contaminated sites, and PFAS chemicals could end up in nearby salmon-bearing streams.

Condemnation and Prime Farmland

The proposed expansion includes condemnation of over 210 acres of private property, including 148 acres of airport-related businesses' property and 62 acres of prime farmland zoned as Exclusive Farm Use (EFU). Farmers are facing a loss of income generation and real estate property value loss. At the same time, wealthy real estate speculators are acquiring property in hopes of "flipping" it for airport-centric or urbanized use. Again, the proposed reclassification and expansion of the Aurora Airport is not only financially unviable, but also antithetical to Oregon land use laws that seek to protect prime farmland.

Surface Transportation Impacts

The Aurora Airport's primary access is State Highway 551 (Wilsonville-Hubbard Highway, OR-551). ODAV has proposed realigning over one mile of OR-551 without study of the congestion impacts to the highway or the rural county roads with no shoulders and deep

ditches that are commonplace in the area. The Draft Master Plan does not entertain any improvements to roads servicing the airport. It also does not comply with Oregon's mandatory Climate-Friendly and Equitable Communities (CFEC) policy. Further, it does not analyze the impacts to congestion on Interstate 5 (I-5) from increased traffic utilizing OR-551. The I-5/OR-551 interchange (Exit 282) is already partially responsible for the significant delays experienced on I-5 at the Boone Bridge. The congestion significantly impacts Wilsonville and its transportation network due to drivers rerouting through neighborhoods to avoid the highway.

Inappropriate Basis for Expansion

Of seven original alternatives in the Draft Master Plan, the three that would keep the airport runway at its existing length, maintaining adequate operational capability for approximately 90% of users, have been summarily eliminated by the FAA. The four remaining alternatives all proposed to expand the Aurora Airport.

Part of the basis for retaining the four expansion alternatives (in addition to the safety violations previously mentioned) is forecasted airport operations data. However, rather than using recorded airport data or the industry-standard "Terminal Area Forecast" (TAF) model, the Draft Master Plan uses inflated population growth projections for Clackamas and Marion Counties that directly equates increased population growth with increased airport operations—despite actual airport data showing a decrease in larger C-II/D-II aircraft using Aurora and the fact that C-II aircraft operations have never been large enough to meet the FAA's threshold for the current C-II designation.

The FAA and ODAV downplay the availability of other regional airports—including Hillsboro, McMinnville, Salem, and Troutdale—with runways over 5000 feet, which are underutilized and would welcome additional operations and based aircraft.

Process

The Aurora Master Plan process has suffered from unnecessary requirements, non-standard metrics, and a chronic lack of communications that has hampered public involvement. For example, ODAV regularly sent Planning Advisory Committee (PAC) members only an agenda without any supporting materials, making it challenging for members to come to meetings prepared to provide thoughtful, well-researched input. Additionally, FAA and ODAV hosted an open house on the four expansion-only alternatives in June 2024. The open house was under-advertised, with no announcements in local media to bring awareness.

ODAV has failed to have its State Agency Coordination (SAC) Program acknowledged by the Department of Land Conservation and Development (DLCD) and, further, continues to violate the regulations in its SAC Program concerning compatibility and compliance requirements for affected jurisdictions.

The failure of the Oregon State Aviation Board to adopt a master plan was a centerpiece of the Oregon Supreme Court's 2021 affirmation that ODAV misapplied state land use laws while developing the alleged 2012 plan. However, the current Draft Master Plan contains numerous references to the alleged 2012 Master Plan, despite it being an un-adopted document.

Conclusion

The City of Wilsonville is disappointed with the process and conclusions of this Draft Final Master Plan for the Aurora State Airport. That includes egregious safety violations, unstudied environmental hazards, condemnation of highly productive and valuable farmland, the expensive and unnecessary relocation of a state highway, inappropriate application of data to justify expansion, and a process that has repeatedly and flagrantly violated Oregon law.

The Draft Master Plan makes expansion appear necessary to respond to safety and demand needs—even if those crises are artificially created by ODAV itself.

The City of Wilsonville requests the Oregon State Aviation Board not adopt this Aurora State Airport Draft Final Master Plan and the Federal Aviation Administration reject the Airport Layout Plan contained within the Draft Master Plan. Instead, ODAV and the FAA should conduct a more thorough and transparent public process that fairly considers standard airport operations data, the reality of the airport's constrained site, the role and capacity of other airports in the region, and local community safety concerns.

Sincerely,



Mayor Shawn O'Neil
City of Wilsonville

CC: Office of U.S. Senator Ron Wyden
Office of U.S. Senator Jeff Merkley
Office of U.S. Congresswoman Andrea Salinas
Office of Oregon Governor Tina Kotek
Oregon Senate President Rob Wagner
Oregon Speaker of the House Julie Fahey
State Senator Courtney Neron-Misslin
State Representative Sue Rieke-Smith
FAA Northwest Mountain Region

From: [Samantha Peterson](#)
To: [Rachel Montagne](#); [W. Matt Rogers](#); [David Miller](#); [Mark Steele](#)
Subject: FW: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25
Date: Wednesday, August 6, 2025 2:18:34 PM
Attachments: [FOFP Comments Letter_Final Draft Master Plan_08-06-25.pdf](#)

Please include in our Public Involvement appendix.

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, August 6, 2025 2:03 PM
To: Samantha Peterson <SPeterson@CenturyWest.com>
Subject: Fw: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

FYI

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: ben.williams@liturgica.com <ben.williams@liturgica.com>
Sent: Wednesday, August 6, 2025 10:01 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Cc: BEACH Anthony <anthony.beach@odav.oregon.gov>
Subject: Re: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Brandy;

Thank you for this email. Once again the process itself hinders submission of comments, in this case the absence of any method on the referenced "comments or input" page to attach a document. The Friends of French Prairie final comments are a 9 page letter with an attachment, which cannot be pasted into the comments box on the form for comment submission.

Please see attached comments letter, acknowledge receipt, and confirm that it will be placed into the record.

Sincerely

Ben Williams
Friends of French Prairie

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

Sent: Tuesday, August 5, 2025 1:24 PM

Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>

Subject: Aurora PAC - Draft Final Airport Master Plan comments due by 8/6/25

Hello PAC members,

Just a reminder to **submit [comments or input](#) on the *Draft Final Airport Master Plan*** (using the [form on the "Contact & Comment" page](#)) **no later than Wednesday, August 6, 2025** for ODAV and the Planning Team to review.

All comments will be collected and included in an updated Appendix 11 (public comments).

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com > [Schedule a 30 minute meeting](#)

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

Sent: Wednesday, July 23, 2025 4:14 PM

Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>

Subject: Aurora PAC - Draft Final Airport Master Plan available for review

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources & Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) **no later than Wednesday, August 6, 2025** for ODAV

and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

August 6, 2025

To: Oregon Department of Aviation; Kenji Sugahara, Director

Re Comments on Draft Final Airport Master Plan

Friends of French Prairie, who has been a member of the Planning Advisory Committee (PAC) submits these final comments on the Aurora Airport master plan process and Draft Final Airport Master Plan.

Citizen Involvement

Specific to the Oregon land use planning requirement for Goal 1, Citizen involvement, the operating structure of the PAC while “involving” citizens, did not meet the intent or requirements of Goal 1. Specifically, at the first PAC meeting on November 16, 2021, after outlining the master planning process for the Aurora State Airport, the PAC was informed of the following on a slide titled “Decision-Making Process”:

- *PAC will provide input at key decision points in an advisory level; as a sounding board. No recommendations will be made*
- *ODA staff will be the final decision-making authority*

At the outset then, the premise was that of having an “Advisory” committee that will make no recommendations (i.e. provide no advice) is a contradiction in terms and outlandish.

Many PAC members are on record noting that the PAC was not intended to provide recommendations, but only to be a sounding board.

At an Aviation Board meeting in September of 2024, Matt Rogers, Century West project manager, spoke of “Extensive public involvement” and listed 6 PAC meetings, 2 Open Houses and 3 Work Sessions. For the record, the earliest PAC meetings had no public involvement because the Zoom calls were limited to PAC members. Then after complaints, members of the public were allowed to participate, but they had to pre-register before the meeting in order to attend. Finally, members of the public were allowed to speak in the public comments section at the end of the meeting. ODAV appears to have failed to promote the ONE Open House event held on June 13, 2024; however, due to a massive mailing by the City of Wilsonville alerting the public to the Open House event, public attendance was high, but then JLA Public Involvement ran out of public comment forms after about one hour into the three-hour event, thereby preventing a majority of attendees from providing written public comment.

The implications made by David Miller of Century West were that PAC input specifically shaped the draft chapters in the master plan, and particularly the iterations of the alternatives. That is not the case. The draft chapters were presented to the PAC as completed documents in lecture format, and the only adjustments made were after the fact following challenges to data and data errors pointed out.

In early June, draft Chapter 5 was provided to the PAC with 7 alternatives, four that promoted C-II ARC designation and three that maintained the current “as built” reality of B-II. Then, just prior to the Open House held at North Marion on June 13, the PAC was notified that the three alternatives to maintain B-II had been withdrawn and would no longer be considered “after coordination with FAA.” In other words, nearly half of the alternatives had been removed from consideration, and no serious consideration was given to a “No Build” option.

Then at the next PAC meeting on July 30, 2024, the members were informed that the four alternatives that remained and were on display at the Open House had been unilaterally reduced to three—all done without consultation with the PAC.

To summarize, the PAC has been informed (and mainly after the fact) from start to finish, but never consulted or asked for recommendations. Additionally, the fundamental flaw of trying to force not just a C-II ARC designation (per an FAA approved airport layout plan) but airfield build out to C-II standards continues to ignore the fundamental reality noted above: this is a constrained site.

Forecast Data & Methodology

The FAA “Aurora (UAO) Aviation Activity Forecast Approval letter of November 15, 023 (Corrected January 23, 2024) approves the aviation forecasts from the current Aurora Airport Master Plan process for airport planning purposes. These forecasts are detailed in the table “Airport Planning and TAF Forecast Comparison” derived from data in Chapter 3 (Aviation Activity Forecasts) of the master plan.

The Forecast approval letter goes on to state:

Our approval is based on the following:

- *The forecast is supported by reasonable planning assumptions and current data*
- *The forecast appears to be developed using acceptable forecasting methodologies*
- *The difference between the FAA Terminal Area Forecast (TAF) and the Airport’s forecast for total operations is within the 10 percent and 15 percent allowance for the 5 and 10 year planning horizons.*

Master Plan Aviation Activity Forecasts – Chapter 3

The Forecasts chapter lists four Operations Forecast Models that were agreed on with the FAA for consideration in developing the aviation forecasts for UAO. They are:

- Hybrid TFMSC Itinerant/FAA National Aerospace Forecast GA Local Operations Model

- Marion and Clackamas County Combined Population Growth Model
- National Aerospace Forecast Operations (Airports with ATCT)
- Federal Contract Tower TAF State (Oregon) Model

On page 3-26 the section “Recommended Aircraft Operations Forecasts Summary” states:

***The Marion and Clackamas County Combined Population Growth Model** is the recommended aircraft operations forecast for the 2021-2041 Aurora State Master Plan. In lieu of representative operational data specific to the Airport, population growth forecasts developed for the two counties most contributing to the Airport service area were selected to indicate future operational activity. The model assumes that operations will track with the local population as it reflects the number of people likely to use airport services. This model reflects the best data available considering the limitations of the available ATCT traffic counts. The model projects an average annual growth rate of 0.9% over the planning period.*

No substantive justification is provided or data presented to make the case that The Marion and Clackamas County Combined Population Growth Model is more accurate and superior to the Federal Contract Tower TAF State (Oregon) Model beyond the assertion: “The model assumes that operations will track with local population, as it reflects the number of people likely to use airport services. This model reflects the best data available considering the limitations of the available ATCT traffic counts.”

Validity of data

As stated, The Marion and Clackamas County Combined Population Growth Model projects a 0.9% average growth rate of the planning period of 20 years (from 2020 to 2040), and also states that “The model combines the Portland State University (PSU) Population Research Center (PRC) population forecasts for Marion and Clackamas Counties over the planning period.” However, no references or supporting data from the PSU Population Research Center are presented, and the 0.9% AAGR number does not hold up to scrutiny.

Oregon’s population has been in flux for the past four or five years, with some years showing population decline. PSU data for the period April 1, 2020 to July 1, 2022 (attached) show the following percent change in AAGR:

Clackamas County	0.9%
Marion County	0.3%

For the year 2023, they show the following change in AAGR:

Clackamas County	0.59%
Marion County	0.29%

The PSU forecast data by County (PSU-PRC Regional Meeting; Preliminary Population Projections), show population forecast for each Oregon county. The forecasts for Clackamas and Marion County do not show the 0.9% AAGR stated in the Aviation Activity Forecasts chapter of the master plan. Specifically, for the planning period they show the following (attached):

Clackamas County	0.72%
Marion County	0.46%

Furthermore, no empirical evidence is presented that there is ANY relationship or correlation between general population growth and increased operations at this airport or any other airport. This conclusion that general population growth corresponds to airport operations appears to be a long stretch to justify a higher forecast without any supporting documentation.

The Marion and Clackamas County Combined Population Growth Model, which was selected without justification or supporting data, does not result in an AAGR of 0.9% as alleged, but using a population-weighted average results in 0.62%.

Forecast Model Selection

The Marion and Clackamas County Combined Population Growth Model was selected without supporting data or justification, and the Federal Contract Tower TAF State (Oregon) Model dismissed with a statement about “*the limitations of the available ATCT traffic counts.*”

Figure 3-6: Operations Forecast Models illustrates what is now common knowledge: there are 7 years of FAA operations data for UAO (FAA’s ATADs data) which covers all operations during tower operation (daylight hours). The master plan process has an adjustment factor for non-tower operational hours. The point is that given the wildly overstated and erroneous that ALL previous operations forecasts have been there is 7 years of validated objective data. However, the forecast model that used this data was not selected.

That model, the Federal Contract Tower TAF State (Oregon) Model, is described in Chapter 3 as follows:

This model applies the Oregon Federal Contract Tower TAF forecast annual growth rates for aircraft classifications to Aurora State Airport’s baseline operations counts (using the same classifications) over the 20-year period. The model assumes that operations at the Airport will be consistent with FAA’s Terminal Area Forecast (TAF) for Oregon airports with contract air traffic control towers. This model provides a more focused regional assessment within the TAF, compared to the TAF national model for contract tower airports, as these airport are the most operationally similar to Aurora State Airport in the state. The model is non-linear and year-over-year growth rates vary. The model assumes that the Airport’s operations will mirror state trends. The model results in an average annual growth rate of 0.6%.

This model provides a projection of future changes in the Airport’s annual aircraft operations that is consistent with the trends defined by FAA for similar Oregon airports

with contract air traffic control towers. Similar to the contract tower model used for based aircraft forecasting, this projection does not establish an historical statistical relationship between the Airport and the larger data set, although it does provide a reasonable projection for long term planning. The underlying assumption is that future activity within a group of similar Oregon contract towered airports will be similar, and that on the whole, this activity will be consistent with the FAA's broad expectations defined in its TAF.

Of note, Federal Contract Tower TAF State (Oregon) Model, results in an AAGR of 0.6%.

The Marion and Clackamas County Combined Population Growth Model which was selected without justification or supporting data results in an AAGR of 0.9%. The question that has to be answered, however, is what process and methodology was used by ODAV and its consultant along with the FAA to eliminate the Federal Contract Tower TAF State (Oregon) Model which is based on objective historical data at UAO and similar airports, and rather select The Marion and Clackamas County Combined Population Growth Model which not only resulted in a higher forecast rate, but is based on questionable population growth projections and a fundamentally flawed assumption that "that total airport operations will track with the combined population of Marion and Clackamas Counties."

Expansion onto Exclusive Farm Use land

The Draft Final Master Plan contemplates expansion onto a total of 62 acres of EFU land in three separate areas outside the airport boundary. Regarding land use compatibility, on pages 2-16 it states:

Marion County Comprehensive Plan

The Marion County Comprehensive Plan was developed for the purpose of providing a guide to development and conservation of Marion County's land resources. It is a long-range policy and land use guide that provides the basis for decisions on the physical, social, and economic development of Marion County. The Marion County Comprehensive Plan incorporates elements and policies of other Marion County planning documents through a formal process.

The following policies were identified in the Goals and Policies section of the Marion County Comprehensive Plan to address airports in the County:

- *"Airports and airstrips shall be located in areas that are safe for air operations and should be compatible with surrounding uses."*
- *"The County should review and take appropriate actions to adopt State master plans for public airports in Marion County."*
- *"The County will adopt appropriate provisions (including plans, ordinances and intergovernmental agreements) to protect the public airports from incompatible structures and uses. These provisions will be consistent with Federal Aviation Administration guidelines."*

- *“The County will discourage noise-sensitive uses from locating in close proximity to public airports.”*

Marion County Rural Transportation System Plan

Marion County completed the Rural Transportation System Plan (RTSP) in 2005 with the intent of “providing framework for developing an efficient, well-balanced, and cost-effective transportation system for the next 20 years”.⁶ The RTSP addresses rural transportation facilities managed by Marion County outside of Urban Growth Boundaries (UGB). Transportation planning topics for areas within UGBs are addressed in individual city transportation system plans (E.g. City of Aurora Transportation System Plan). The RTSP has been formally adopted into the Marion County Comprehensive Plan. The RTSP lists Aurora State Airport among the county’s 25 airports and heliports (as of 2005), and references the projects outlined in the 1999 Aurora State Master Plan, most of which have been completed since the plan was developed. The RTSP states that the County intended to adopt the 2005 update to the Aurora State Airport Master Plan after review to ensure compatibility with County land use and zoning requirements

Further, on page 2-44 it states:

Compatible Land Use (Assurance #21)

Land uses around an airport should be planned and implemented in a manner that ensures surrounding development and activities are compatible with the airport. Aurora State Airport is located in unincorporated Marion County. The airport sponsor should work with the county and adjacent land use jurisdictions to ensure that zoning and land use controls are in place to protect the airport from incompatible land uses. Incompatible land uses around airports represents one of the greatest threats to the future viability of airports.

In spite of this, and with the master plan process timeline indicating that the plan will be advanced to the Aviation Board for approval and adoption by end of 2025, the compatibility of the master plan with local comprehensive plans has not occurred. The 2019 flowchart document (attached) titled “State Agency Coordination Program: Adoption of Final Master Plans, Oregon Department of Aviation” clearly shows that the second major part is compatibility with local comprehensive plans, and that the “Master Plan is sent to local planning representatives,” yet the master plan has not been submitted to Marion County for assessment of compatibility with either its Comprehensive Plan nor its System Transportation Plan. This is supposed to occur prior to the fourth part, which is submission of the Airport Layout Plan to the FAA for approval, but the Airport Layout Plan has already been submitted without local land use compatibility being confirmed.

By extension then, ODAV cannot certify to the Board when it seeks approval and adoption of the plan, nor to the FAA when it submits the plan for approval that it has achieved the required land use compatibility nor that it can affirmatively comply with Federal grant assurances.

Airport Layout Plan

The Airport Layout Plan and its accompanying Draft Master Plan, and the approval and adoption of both by the Aviation Board are now the subject of legal action in Marion County Circuit Court in a suit brought by City of Aurora [Case No. 25CV22759]. The suit seeks to enjoin ODAV or OAB from signing the Airport Layout Plan before the Master Plan is adopted by OAB under OAR 738-130-055 and ORS 197.180(1) and (10).

This is important because in 2011 ODAV received and countersigned an FAA-approved Airport Layout Plan separate from the 2012 master plan which the Court of Appeals ruled was never legally approved or adopted. That Airport Layout Plan shows the following Airport Data:

	<u>Existing</u>	<u>Ultimate</u>
Airport Reference Code	C-II	C-II

However, the Airport Layout Plan that was developed as part of the current master plan process and was submitted to the FAA for approval prior to the master plan achieving land use compatibility shows the following:

	<u>Existing</u>	<u>Future</u>
Approach Reference Code	B-III-4000/D-II-4000	SAME
Departure Reference Code	D-III/D-II	SAME

The PAC was not informed that the Reference Codes, which describe the type and size of aircraft the airport is capable of handling, were going to change. Nor were they or the public informed that the Airport Layout Plan was being submitted to the FAA before it was submitted for local land use compatibility or compliance with statewide planning goals, yet it changes the reference codes to those used for larger aircraft.

Notwithstanding the fact that in the case of the 2012 master plan the Court of Appeals ruled that: “The development proposed (runway extension) permits service to a larger class of airplanes,” stating:

LUBA adopted the reasoning in the response briefs and concluded, without elaboration, that the improvements contemplated by the 2012 Airport Plan do not permit service to a larger class of airplanes... an upgrade to design standards for a greater ARC or a longer runway to serve planes with greater MTOW [Maximum Take Off Weight] is an expansion or alteration that permits—authorizes—service to a larger class of airplanes. Accordingly, the Master Plan proposes an alteration or expansion of the airport that permits service to a larger class of airplanes.

[Schaefer v. Oregon Aviation Board, 312 Or App 316 (2021)]

Once again this master plan and its accompanying Airport Layout Plan work to the same end: serving a larger class of aircraft and do so by expanding only EFU land without land use compatibility.

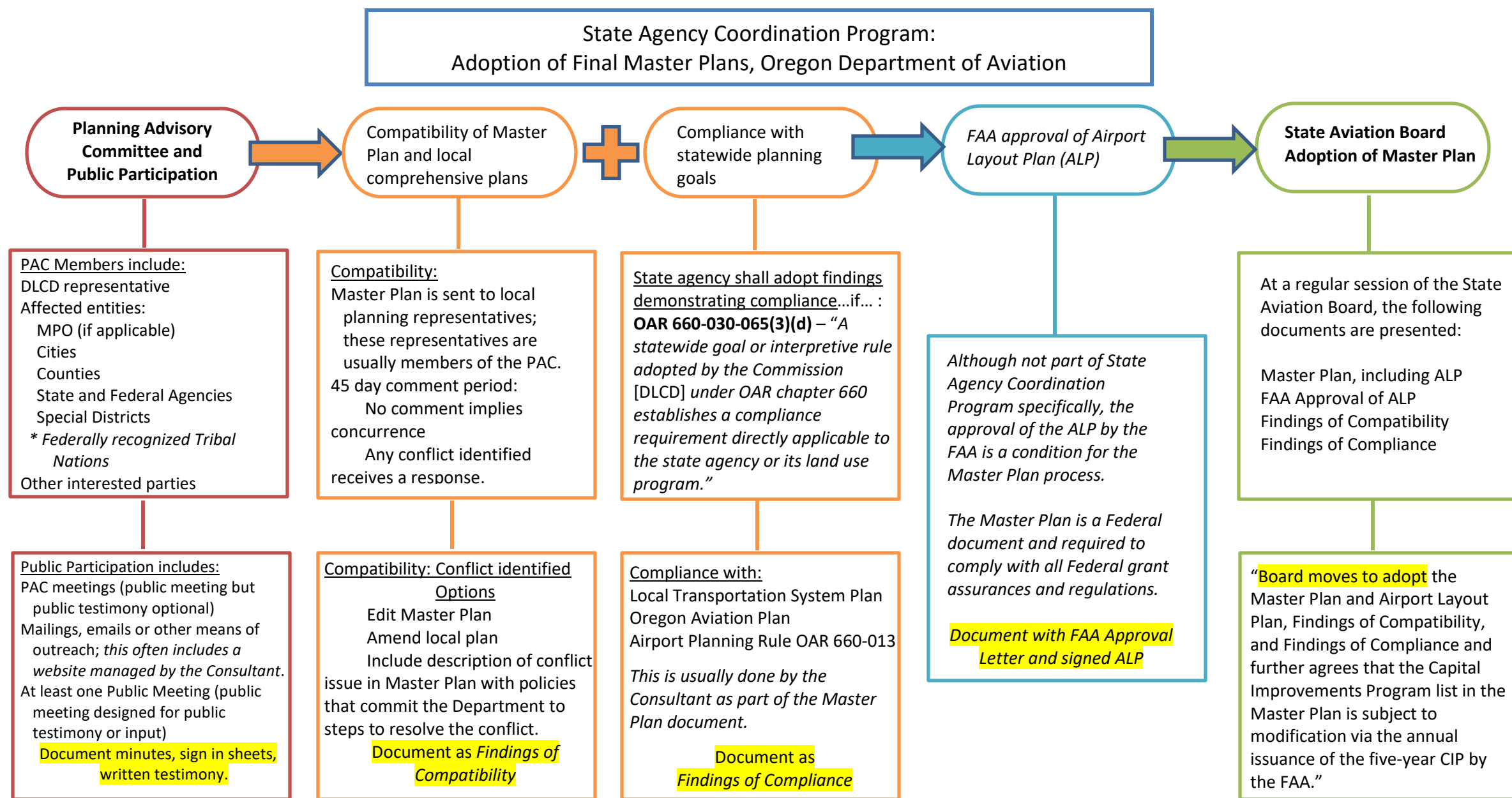
These significant problems and short comings of the master plan have been raised during the master plan process, but ignored or given minimal consideration. No serious consideration was given to the ever-growing violations of the Aurora Airports Noise Abatement plan and the consequent overflights of both the Charbonneau neighborhood of Wilsonville and the City of Aurora.

The Draft Final Master Plan is not the product of a collaborative process, but rather an attempt once again to minimally address legal land use requirements in order to produce a master plan that satisfies the FAA requirements while also expanding the constrained Aurora Airport in order to accommodate larger and larger jet aircraft.

Sincerely

A handwritten signature in blue ink that reads "Benjamin D. Williams". The signature is written in a cursive style and is positioned above a light blue rectangular stamp.

Ben Williams, President



From: [Samantha Peterson](#)
To: [W. Matt Rogers](#); [David Miller](#); [Rachel Montagne](#); [Mark Steele](#)
Subject: FW: Aurora State Airport Master Plan Website Comments - Benjamin Williams
Date: Wednesday, August 6, 2025 3:59:40 PM

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, August 6, 2025 2:41 PM
To: Samantha Peterson <SPeterson@CenturyWest.com>
Subject: Fw: Aurora State Airport Master Plan Website Comments - Benjamin Williams

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT
Partner + Senior Program Manager
brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: Benjamin Williams <noreply@jotform.com>
Sent: Wednesday, August 6, 2025 9:59 AM
To: JLA Tech Support <tech@jla.us.com>; Jen Winslow <Jen.winslow@jla.us.com>; Ashley Balsom <ashley.balsom@jla.us.com>; Brandy Steffen <brandy.steffen@jla.us.com>
Subject: Re: Aurora State Airport Master Plan Website Comments - Benjamin Williams



Aurora State Airport Master Plan Website Comments

Name	Benjamin Williams
Organization	Friends of French Prairie
Comments or questions?	Final comments from Friends of French Prairie are in the form of a nine page letter with attachment that cannot be accommodated by this form page for submission of comments. Once again, the process for interested parties to make and submit comments is hindered by the process itself, in this case in the form of no method to attach a separate comments document to be submitted. To that end, the FOFP comments letter is noted in this

Comments of questions box, and will be separately submitted by email to Brandy Steffen of JLA Public Involvement

If you would like a response, please tell us the best way to contact you:

Email

Email

ben.williams@liturgica.com

Phone Number

(503) 568-5670

You can [edit this submission](#) and [view all your submissions](#) easily.

From: [Brandy Steffen](#)
To: [Samantha Peterson](#); [Rachel Montagne](#)
Subject: Fw: Aurora PAC - Draft Final Airport Master Plan available for review
Date: Thursday, August 14, 2025 1:45:35 PM

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: ben.williams@liturgica.com <ben.williams@liturgica.com>
Sent: Monday, July 28, 2025 11:31 AM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Cc: Anthony BEACH <Anthony.BEACH@odav.oregon.gov>
Subject: Re: Aurora PAC - Draft Final Airport Master Plan available for review

Thank you, Brandy.

Ben Williams

On Jul 28, 2025, at 10:27 AM, Brandy Steffen <brandy.steffen@jla.us.com> wrote:

Hi Ben,

Thanks for your question. I checked with the Planning Team and there is not a redlined version of the Draft Final Airport Master Plan available. Here are the details on the edits that have taken place:

- The earlier draft chapters and edits to those are provided on the project website as "Working Paper #1 Revision History".
- Draft Chapter 4 has not been edited.
- Draft Chapters 5-7 are new chapters based on information presented to the PAC that have not been revised.
- The entirety of the draft final report was reviewed by the Planning Team and cleaned up for typos, verbiage, and formatting errors. Additional changes included higher quality photos, changes in logos, and other general report clean up can be anticipated through your review.

Thanks,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager

brandy.steffen@jla.us.com » [Schedule a 30 minute meeting](#)

From: ben.williams@liturgica.com <ben.williams@liturgica.com>
Sent: Wednesday, July 23, 2025 4:38 PM
To: Brandy Steffen <brandy.steffen@jla.us.com>
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Re: Aurora PAC - Draft Final Airport Master Plan available for review

Brandy;

Thanks for your message and the links to the new documents.

Regarding the Draft Master Plan, can you or ODAV provide a redline version so we can see what (if anything) has changed in the text since the last version?

thanks

Ben Williams
Friends of French Prairie

From: Brandy Steffen <brandy.steffen@jla.us.com>
Sent: Wednesday, July 23, 2025 4:14 PM
Cc: BEACH Anthony <Anthony.BEACH@odav.oregon.gov>
Subject: Aurora PAC - Draft Final Airport Master Plan available for review

Hello PAC members,

Thank you all for participating and providing valuable input through the planning process. We have uploaded the *Draft Final Airport Master Plan (AMP)* on the [project website](#) for PAC and public review. The *Draft Final AMP* includes all the earlier chapters previously presented, along with new chapters incorporating the information presented at PAC Meeting #9 (ALP and CIP), as well as supporting appendices.

Project website: <https://publicproject.net/auroraairport#> (located at the top of the "Resources & Documents" Page).

Please submit any [comments or input](#) on the *Draft Final Airport Master Plan* (using the [form on the "Contact & Comment" page](#)) no later than Wednesday,

August 6, 2025 for ODAV and the Planning Team to review.

Thank you,

BRANDY STEFFEN | JLA PUBLIC INVOLVEMENT

Partner + Senior Program Manager