

TEXAS DEPARTMENT OF TRANSPORTATION

COMMISSION MEETING

Ric Williamson Hearing Room  
Dewitt Greer Building  
125 East 11th Street  
Austin, Texas

Thursday, April 4, 2013

COMMISSION MEMBERS:

Ted Houghton, Chair  
Jeff Austin III  
Jeff Moseley  
Fred Underwood

STAFF:

Phil Wilson, Executive Director  
John A. Barton, Deputy Executive Director  
Jeff Graham, General Counsel  
Rose Walker, Chief Clerk  
Kristen Webb, Chief Minute Order Clerk

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P R O C E E D I N G S

1  
2 MR. HOUGHTON: Here we go. Good morning. It  
3 is 9:00 a.m. And I call to order the April 4, 2013  
4 meeting of the Texas Transportation Commission. Note for  
5 the record that the public notice of this meeting,  
6 containing all items of the agenda to be filed with the  
7 Secretary of State at 4:32 p.m. on March 27, 2013.

8 Before we begin today, I would ask you to  
9 please place your cell phones in the off or silent mode.  
10 And if you wish to address the Commission, we need a  
11 yellow card filled out. And if -- there is nothing in  
12 general session, so you do need a yellow card to speak.

13 Before I begin, I'll turn the mic over to Phil  
14 Wilson for Safety.

15 MR. WILSON: Thank you, Mr. Chairman. If Mr.  
16 John Barton, our deputy secretary, would come forward and  
17 give us our safety briefing. John.

18 MR. BARTON: Good morning, Phil, Chairman  
19 Houghton, commissioners. I appreciate the opportunity to  
20 give you the safety brief this morning. And I think that  
21 of course you realize that today is all about safety.  
22 This is the most important priority --

23 MR. HOUGHTON: Turn your microphone on, please.

24 MR. BARTON: Okay. This is the most important  
25 priority for the state, and I appreciate your leadership

1 in that regard. While I don't expect that we'll have any  
2 emergencies this morning, I just wanted to brief this  
3 audience. Many of our guests today are visitors to our  
4 building and have not been here on a regular basis, and so  
5 I wanted to point out a few safety elements for them  
6 before we start today's meeting.

7 If anyone has a medical emergency, please seek  
8 the attention of our guards at the duty station as you  
9 came into the building, and they'll be able to contact  
10 Emergency Medical Services for you.

11 If we are required to shelter in place --  
12 although it is a little cloudy this morning, I don't  
13 expect any weather conditions to elevate to that level --  
14 but should they do that, we would leave this room and  
15 protect ourselves in the hallways on either side of the  
16 elevator shaft, or get into the hallways and go down to  
17 the basement floor, one floor below us, and gather there,  
18 if there's any inclement weather. And if we have that,  
19 you will be notified by someone coming forward to the  
20 podium here to make that announcement.

21 If we're asked to evacuate the building for any  
22 reason, fire or otherwise, there are several exits.  
23 There's an exit to my right at the back of the room, and  
24 it has an exit to the rear of the building, that you can  
25 take a set of stairs down to.

1           We also have exits as you entered the building,  
2 most of you this morning, through the front doors. And  
3 there are exits down the stairways on either side of the  
4 bottom basement floor out into parking areas.

5           We would exit the building, and I would  
6 encourage all of us to gather on the south side of the  
7 Capitol, across the street from Congress. And of course,  
8 if we were to -- at Congress and 11th. If we are to cross  
9 the street, I would just encourage everyone to make sure  
10 to pay attention and cross safely at the crosswalk.

11           That is the information that I wanted to share  
12 with you this morning. Again, Phil, I appreciate your  
13 leadership and that of the commission for always making  
14 sure we focus on safety as we gather to talk about the  
15 business of the department.

16           MR. WILSON: Thank you, Chair. And now back to  
17 you to complete our opening remarks.

18           MR. HOUGHTON: It is customary that the  
19 commissioners give their opening comments. And I would,  
20 again, want to stick to that custom.

21           Commissioner Moseley will have comments from  
22 our commissioners to our guests.

23           MR. MOSELEY: Thank you, Chairman Houghton,  
24 members. Good morning, everyone. Clearly, today is a  
25 special called session for a very important response to

1 the federal government's sequestration of funds. But it  
2 also demonstrates clearly that we are truly a department  
3 of transportation.

4 And although we convene most regularly to  
5 discuss highways and our roadways and mobility on that  
6 system, today we focus on the value of safety at our  
7 regional airports. Truly, we are a multimodal agency. We  
8 are responsible for public transit, for rail, and  
9 aviation.

10 And to that end, I think it's important that we  
11 take today's action. I'm interested today, Chairman and  
12 members, to understand more clearly how we became involved  
13 in funding air traffic control.

14 I think the public -- clearly the public's  
15 interest is served by our involvement, but it would be  
16 good, as our staff and professionals bring us  
17 presentations today, that we have a deeper understanding  
18 of that involvement. So just as we keep our highways  
19 moving, it's important today that we make sure our Texas  
20 airports are fully functional.

21 Thank you, Chairman.

22 MR. AUSTIN: I echo the comments of  
23 Commissioner Moseley. I want to say yesterday I had the  
24 opportunity to be in Sugar Land; we were able to put up  
25 the new sign for Interstate 69. But while we were there,

1 many officials from Fort Bend County and the area were  
2 there to discuss elements of the airport and the  
3 importance of keeping it open, and the importance of the  
4 commerce as a relief airport and also for safety.

5 I see Davis Dickson here, from the City of  
6 Tyler. I have heard from Davis Dickson. I have talked to  
7 many of the elected officials, but also a lot of pilots  
8 that are noncommercial that are flying in.

9 And like an umpire, who is going to be the  
10 umpire up there in the skies, saying who comes in first,  
11 who's second. There's a safety issue here. And there is  
12 also a lot of jobs at stake, from an economic development  
13 standpoint.

14 So I look forward to hearing the comments  
15 today. This is important to Texas. This is important for  
16 economic development. There are a lot of people that  
17 could potentially lose their jobs from this for us not  
18 taking action. And I would just encourage our friends up  
19 in Washington to step up, and let's get this thing funded  
20 as we go forward. But it's too important to Texas not to  
21 address it. And we're, here ready to do our part.

22 And I know I have some questions and comments,  
23 looking at the roles and responsibilities, similar to what  
24 Commissioner Moseley had with this. And all I'm going to  
25 say, we've got to keep Texas flying. It's too important.

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MR. UNDERWOOD: Good morning. I associate myself with my colleague's remarks. I appreciate everyone being here. I know you have a busy schedule. I appreciate you taking the time to be here.

As a pilot, fixed-wing and helicopter pilot, I understand completely how critical it is to have a tower. So thank you for being here.

Mr. Chairman.

MR. HOUGHTON: Thank you, gentlemen. Now I'll turn the agenda over to Phil.

MR. WILSON: Thank you, Mr. Chairman. Agenda Item 2 will direct the awarding of funds to continue safe operation of air traffic control towers impacted by recent federal action. This item will be presented by Aviation Division Director Dave Fulton. Dave.

MR. FULTON: Thank you, Phil. Commission, this minute order contains a request for grant funding approval for providing air traffic control services for Texas airports. Recently, the Federal Aviation Administration announced that beginning on April 7 of this year, they will close 149 contract air traffic control towers within the United States. Thirteen of these towers are located in Texas.

The closure of these control towers will

1 decrease the safety and efficiency of aircraft using these  
2 airports and will have a negative effect on the flow of  
3 commerce in our state.

4 Approval of this minute order will ensure  
5 continued operation of the affected airports for a period  
6 of at least 90 days. We would recommend approval of this  
7 minute order, and I'll be glad to address any questions,  
8 or try to answer anything you may pose.

9 MR. MOSELEY: Chairman, I'd just be interested,  
10 Mr. Fulton, if you could describe historically how TxDOT  
11 became involved in this function.

12 MR. FULTON: Commissioner Moseley, I'll be glad  
13 to do that. Of course, TxDOT came into business since  
14 September 1, 1991. In 1993, the FAA selected ten states  
15 to disperse grant funds for general aviation airports in  
16 the nation. Texas was selected as one of those states.

17 And it was a wonderful thing: We could  
18 approach airport development on a system basis, instead of  
19 a piecemeal basis. So among those airports, of the 276  
20 airports we serve, there are 21 airports called relievers.

21 They're urban general aviation airports that were  
22 designed to relieve congestion at places like DFW,  
23 Intercontinental.

24 They do a wonderful job. I had a meeting with  
25 those 21 airport managers, and I said, What is the one

1 thing that you need to continue improvement in safety and  
2 growth of your airport? Unanimously said, We need air  
3 traffic control towers.

4 So I said, Let's see what we can do. And I  
5 talked to the then-commission and executive director, and  
6 we proposed a 50-50 state grant, since federal funds did  
7 not provide for construction of these nonfederal towers,  
8 and the commission approved it.

9 We built on at Sugar Land, and then we built  
10 one at Denton. Following those two towers, after we built  
11 those towers -- and why we built them is FAA recognizes  
12 that they can't put FAA towers -- it's very expensive --  
13 at every airport in the nation.

14 So those airports that need a tower but it's  
15 not cost effective to put an FAA tower, they had -- they  
16 started a contract tower program some 30 years ago. If  
17 you have a satisfactory tower and you meet a cost-benefit  
18 ratio according to an FAA model of 1.0, they will provide  
19 the operating expenses on an ongoing basis.

20 The program has been in place for 30 years. We  
21 built those two towers. And then I'd like to think that  
22 because of our program, the FAA and Congress decided to do  
23 a national program to construct these towers. So we  
24 started using FAA funding.

25 We've built 10 of these towers now in Texas;

1 two more in the pipeline. So that's the history of how we  
2 got into this business. These towers provide critical  
3 safety and economic development support for many of these  
4 airports.

5 Many of these airports, like McKinney, they  
6 have large corporate aircraft that fly from McKinney  
7 internationally, to Tokyo and places like that. The same  
8 thing for Sugar Land.

9 So business aviation and support of business by  
10 aviation is big business in Texas. I hope that addressed  
11 how we got into the program and where we are today.

12 MR. HOUGHTON: Thank you.

13 MR. AUSTIN: Dave, I have a question. And you  
14 kind of answered part of it. There seems to be an obvious  
15 answer; what is the purpose of a control tower? I want to  
16 kind of ask that and go one step further. What happens if  
17 they're not there?

18 MR. FULTON: Commissioner Austin, I happen to  
19 have a short presentation, I think, that can address that.

20 I want to introduce Greg Miller, our director  
21 of planning. He is assisting me. I am going to do my  
22 very best to make this an approach that a lay person would  
23 understand. I live in an aviation world.

24 I promise not to use any acronyms -- I think I  
25 can do that -- and try to communicate how we operate in

1 aviation. I personally have been flying almost 50 years,  
2 and so I've had an opportunity to use this system for a  
3 long time. So let's get started.

4 MR. HOUGHTON: Wait a minute, Dave. Go back to  
5 that. Is that you, Commissioner Austin, on the bike on  
6 the toll road? It looks like you, a little bit.

7 (General laughter.)

8 MR. AUSTIN: Mr. Chairman, I refrain my  
9 comments. I need my helmet now.

10 MR. HOUGHTON: Move on, move on.

11 MR. FULTON: There are some 200 or so contract  
12 towers in the country. And I just wanted to start by  
13 showing that -- and 149 of those are poised to lose FAA  
14 funding, beginning April 7. The states that are most  
15 affected won't surprise you: Florida, Texas and  
16 California, which has the most business aviation.

17 Next slide. This is just a quick slide to show  
18 you the airports that are located in Texas that are  
19 directly affected by FAA's decision to eliminate funding  
20 for 149 towers, and there are the locations. Now I am  
21 going to try to address your question.

22 MR. MOSELEY: How were those chosen?

23 MR. FULTON: FAA did it.

24 MR. MOSELEY: Was there a criteria --

25 MR. HOUGHTON: Microphone, sir.

1 MR. MOSELEY: Was there a criteria that FAA  
2 used in making their determination as to which airports to  
3 close?

4 MR. FULTON: Yes. There was. I believe this  
5 was done very quickly. But I think the criteria was  
6 150,000 operations or 10,000 enplanements by commercial  
7 service airports. I'm glad you mentioned that.

8 We have three airline airports that are  
9 affected on this list. It isn't just general aviation.  
10 So that was the rough criteria that FAA -- they initially  
11 were going to cut 170-something, had a very brief appeals  
12 process.

13 Arlington was restored. That is the only one  
14 we got back. And we ended up with this list. So it was a  
15 decision FAA made, probably in less than a week; a very  
16 quick decision.

17 Okay. If you could give me the next slide,  
18 please. I'm going to use two airports to try to  
19 communicate how traffic separation occurs at airports in  
20 the United States.

21 I'll start with McKinney. McKinney is a very  
22 nice, very active business jet airport. It has quite a  
23 mix of traffic, anything from helicopters to large  
24 corporate jets. They have a tower which is scheduled to  
25 be -- funding to be eliminated.

1 I'll tell you first how it would work with the  
2 tower. If a plane is coming, say, from Austin to  
3 McKinney, most likely, they will have an instrument flight  
4 plan. They'll be talking to controllers every step of the  
5 way.

6 As they get maybe 10 miles from McKinney, the  
7 Dallas-Fort Worth regional approach control will hand them  
8 off to a person in that tower, the tower operator. He  
9 will take control and positively control that traffic,  
10 assuring separation from all other traffic until  
11 touchdown. So that's the way it works.

12 If you did not have a tower, there's a system  
13 that has been in place since the beginning of aviation,  
14 called see and avoid. And I'll show you that on the next  
15 one.

16 When I say see and avoid, S-E-E, and avoid;  
17 look and avoid. Let's say a plane decides to fly to  
18 McKinney, and there is no tower and they don't file a  
19 flight plan. Once they get about 10 to 15 miles from the  
20 airport, they will know the frequency of the tower  
21 operator, and they'll call him up, and say, I'm out here;  
22 I'd like to land. And he will do his best to assist them,  
23 but he will not be able to provide separation for them  
24 from other aircraft.

25 When you are flying without a tower, the pilot

1 has the responsibility to look for other airplanes and  
2 avoid mid-air collisions.

3           So the normal pattern that a pilot would fly is  
4 what's posed right there. The normal downwind -- well,  
5 first of all, you'd land into the wind normally at an  
6 airport. So we'll say today, the wind, landing 1.8, the  
7 wind is out of the south. You would make a downwind --  
8 usually a left downwind, coming downwind, make a 90-degree  
9 turn, turn onto final, and land at the runway.

10           So there is no guarantee of traffic separation.  
11 That responsibility, if you don't have a tower, is vested  
12 in the pilots flying those aircraft. They have to see and  
13 try to avoid others.

14           And where can problems arise? Let's say the  
15 wind is very light; it's less than five miles an hour.  
16 Either runway could be used. So a pilot can pick which  
17 runway he's going to use. Two pilots might pick different  
18 runways.

19           And so it does increase the risk not to have  
20 someone in the tower telling the airplanes what heading to  
21 fly, what direction to fly, what altitude to fly, and  
22 controlling and guaranteeing the separation of aircraft.

23           An example: One of the towers we built was at  
24 Georgetown. And the mayor's here today. They had a  
25 mid-air collision several years ago up there.

1 Fortunately, it didn't hurt anybody. Amazing. The city  
2 came to us, and said, Can you help us build a control  
3 tower? -- which we did. They've had no such incident  
4 since. And they're one of the towers on the closure list.

5 MR. HOUGHTON: Dave, is it safe to say when  
6 you're 10 miles out, and DFW Regional hands you off to  
7 Collin in this case, you're on your own without a tower?

8 MR. FULTON: What they -- that's a good point.  
9 What they would do in that case, if the tower didn't  
10 exist, they would ask you to report. They'd say, Collin  
11 County airport 10 miles straight ahead. Report the  
12 airport in sight. When you report the airport in sight,  
13 you are totally on your own from that point on.

14 MR. UNDERWOOD: Without a tower.

15 MR. FULTON: Right. And it isn't just landing.  
16 The same is for takeoffs. I'll give you an example. I  
17 keep my plane at Lockhart. I pulled out one -- it was one  
18 cool morning in the winter, very nice morning, no wind.

19 We were going to go to the Dallas area, and I  
20 had my grants manager with me. And I was going to take  
21 the north runway, because either runway would work equally  
22 well, and it was in the right direction of flight.

23 Just before I pulled out on the runway, some  
24 plane was landing, going the other way, and had made no  
25 radio calls at all. And she said, Do you see that

1 airplane out there? I said, I do now. So it does  
2 increase the level of risk to not have someone that's  
3 professionally trained who is guaranteeing separation of  
4 traffic at all times.

5 You can't even taxi on the airport at McKinney  
6 with the tower unless you check in with the tower. They  
7 give you the instructions. Is that satisfactory, do you  
8 think? Is there anything that I left out there that would  
9 be helpful?

10 (No response.)

11 MR. FULTON: Okay. The second airport is  
12 Tyler. It gets even more complicated when you have  
13 multiple runways. Let's say today you have no tower.  
14 They have a tower, of course. But let's say you did not  
15 and the wind was from about 150.

16 Well, 13 and 17 are magnetic courses. 130 and  
17 170, they equally will serve your purposes on an equal  
18 basis. Pilot A might say, well, I think I like 13. Pilot  
19 B might say he likes 17. They are going to the same basic  
20 threshold. It would be the guy going 13, there is the guy  
21 going 17, and there's ample opportunities for getting very  
22 close and personal during that. They are supposed to be  
23 talking, but it is not a law; it's something voluntary.  
24 So there is a chance for things to happen that aren't good  
25 if you don't have a tower.

1           Obviously, we can't build a tower for every  
2 airport in America. But FAA has decided that a certain  
3 level mix of aircraft warrant a tower. That's why they  
4 started the contract tower program. I hope that's  
5 sufficient.

6           MR. UNDERWOOD: A quick question.

7           Is that the end of your presentation?

8           MR. FULTON: Unless --

9           MR. UNDERWOOD: I've got a couple of questions.

10          MR. FULTON: Yes, it is.

11          MR. HOUGHTON: You're done. Okay.

12          MR. UNDERWOOD: Would you leave that up one  
13 more time? Leave the -- thank you. Dave, if you are  
14 flying a helicopter in the same environment, you're air  
15 medical, flying into the same environment, you actually  
16 have -- I am going to stand up here and --

17                 Can you all hear me? So if you have got your  
18 aircraft coming in this way (indicating), helicopters may  
19 be coming in from over here. Helicopters like landing  
20 into the wind, period.

21                 The wind is here, so when they make their turn  
22 wherever they are, they're going to land directly into the  
23 wind. They don't have to use the runway. So now we have  
24 another conflict of an aircraft coming in from anywhere.  
25 Do you see what I am getting at?

1 MR. FULTON: I think the classic example is  
2 Galveston, which has one of our contract towers. They  
3 have a huge amount of helicopter offshore activity. They  
4 don't go down the runway to take off. They just fly  
5 straight out. The tower --

6 MR. UNDERWOOD: Into the wind. They take off  
7 into the wind.

8 MR. FULTON: Yes. But once they head out, the  
9 tower makes sure they're separated. But if the tower was  
10 not there, it increases the risk.

11 MR. UNDERWOOD: It becomes a free for all.

12 MR. FULTON: Right.

13 MR. UNDERWOOD: Thank you, Dave. To me, an  
14 issue that I'm looking at -- one other question I've got  
15 for you, Dave. Talk to me about the air traffic  
16 controllers, the men and women that man these contract  
17 towers, their qualifications.

18 MR. FULTON: Right. As I mentioned earlier,  
19 here at Austin Bergstrom, the tower belongs to the FAA.  
20 Their employees, controllers, work that tower. In  
21 contract towers, the majority of controllers are on a  
22 second career.

23 They're either retired FAA controllers with  
24 tremendous experience or military controllers. There are  
25 some that aren't. But the vast majority are well

1 experienced controllers.

2 And the nice part about it, they work for less.

3 Contract towers, according to a federal audit, an IG  
4 audit, said that contract towers provide equal service to  
5 comparable FAA towers for a million and a half dollars per  
6 tower less each year.

7 So it's a pretty good deal. They are well  
8 trained, and, you know, tremendous experience. Does that  
9 answer your question?

10 MR. UNDERWOOD: Yes, sir. That helps me a lot.  
11 To me, control towers versus uncontrolled towers, it kind  
12 of reminds me of cars, you know. They're all licensed  
13 drivers. They know the rules of driving. Yet we still  
14 have stop signs, stop lights, with turn signals.

15 And what these men and women in the control  
16 tower provide is a similar function. They provide  
17 separation for aircraft on the ground and in the air. To  
18 me, the tower controller is kind of a function of -- they  
19 serve like a referee or a coach for incoming and departing  
20 air traffic, whether they be on the ground, in the  
21 pattern, or in the vicinity of the airport.

22 And something I think everybody needs to  
23 understand at this point also is that the funding for this  
24 is going to come out of the aviation budget; not out of  
25 maintenance, not out of construction. So I just wanted my

1 fellow commissioners to understand that.

2 Yes, sir, Mr. Chairman.

3 MR. HOUGHTON: One question and then we have  
4 got several people signed up. Out of all of the towers  
5 you're talking about, what is the -- how many operations  
6 per month do you take care of?

7 MR. FULTON: Which is a takeoff and a landing?  
8 Annually, it is about 800,000. So it calculated -- is  
9 that right? About 2,200 a per day.

10 MR. HOUGHTON: 2,200 per day.

11 MR. UNDERWOOD: Dave, is it safe to say that  
12 these contract towers handle about one out of every five  
13 aircraft in Texas, 21 percent?

14 MR. FULTON: 21 percent. Right.

15 MR. UNDERWOOD: So that's basically one out of  
16 every five.

17 MR. FULTON: Correct. That is correct, sir.

18 MR. UNDERWOOD: Handled by these controllers,  
19 that are going to be closed.

20 MR. FULTON: Yes, sir.

21 MR. UNDERWOOD: Thank you.

22 MR. HOUGHTON: Any other questions of Dave?

23 (No response.)

24 MR. HOUGHTON: We have got several people  
25 signed up to speak. Dave, stay tuned. Okay. Stay close.

1 The first is Texas A&M Regent Jim Schwertner.

2 MR. SCHWERTNER: Mr. Chairman and  
3 commissioners, my name is Jim Schwertner. I am here today  
4 representing the Texas A&M University system, and general  
5 aviation in Texas.

6 Thank you very much for what you do as  
7 commissioners. One of the geniuses of our founders of the  
8 Constitution of Texas is to have men and women like  
9 yourself that are willing to work pro bono, to volunteer  
10 to make this state so great. I am here to talk to you  
11 about the economic impact of what will happen in Texas if  
12 we close these towers.

13 I am an airline transport pilot, flying fixed-  
14 wing and helicopters, and I understand full well the value  
15 of safety above the economic impact of these towers in  
16 Texas.

17 And I would like to thank Governor Perry for  
18 writing a letter encouraging you gentlemen to help us with  
19 this situation, because it is important, not only for  
20 safety, but the economic engine that we have in Texas.

21 Texas A&M University system has eleven  
22 universities in our system, over 130,000 students, we have  
23 universities all over the state. We use the airport  
24 system continuously to help our great university.

25 Let me give you an example of how important the

1 economic impact is of two airports that I know firsthand.

2

3 First of all, the airport in Easterwood. The Easterwood  
4 airport currently provides 914 jobs and has over \$101  
5 million worth of economic impact to the City of Bryan and  
6 College Station, not to mention the new biomedical  
7 corridor that we just announced through the Texas A&M  
8 Center of Innovation and Advanced Development in  
9 Manufacturing.

10 Dr. Ray Perryman, from Waco, Texas, world-  
11 renowned economist, says that this manufacturing process  
12 in development at Texas A&M, Bryan-College Station will  
13 provide over 6,800 jobs and \$41 billion in additional  
14 economic impact.

15 Easterwood Airport is one of the considerations  
16 of them coming to Bryan-College Station. You've got to  
17 understand that Bryan-College Station is like Austin Texas  
18 was 30 years ago; it's exploding, and we need this  
19 airport.

20 Also at Georgetown, Texas. If you remember,  
21 about 20 years ago, the City of Austin closed Robert  
22 Mueller Airport. Over 400 airplanes were displaced,  
23 either to Lockhart, Taylor, or Georgetown.

24 Georgetown took the brunt of those aircraft.  
25 And today Georgetown is no longer a sleepy little bedroom

1 community. We provide over 227 jobs at the airport and  
2 have economic impact. And the economic impact at  
3 Georgetown, Texas, for that airport is \$33 million.

4 These are all 2011 data points, and I would  
5 assume it's a lot more than that right now. Also, being a  
6 general aviation pilot, I'm in the cattle and ranching  
7 business. I fly all over the United States and Texas. I  
8 started flying in 1966.

9 And I'd like to thank Dave Fulton and Gordon  
10 Richardson, our current chairman of the Texas department  
11 advisory board for all they've done. The airports in  
12 Texas were a shambles in the '60s, '70s and '80s, until  
13 Dave showed up. And now we have some world-renowned  
14 airports in Texas, because of his leadership and others.

15 And thanks to you all, working with TxDOT  
16 aviation and the pilots, to make sure we have the best  
17 airports in the nation. This is a critical decision  
18 you're going to make today, on voting to help us in  
19 general aviation.

20 I hope this is a short term fix, until the  
21 President changes his mind. I fear there is something  
22 other than sequester behind this decision that the Obama  
23 administration has made. It could be political, to help  
24 the unions.

25 As Dave Fulton talked about earlier, the

1 contractors controllers are a lot more economical for the  
2 State of Texas, just as Texas A&M has decided to go to  
3 private contractors, which we saved over \$200 million in  
4 grounds and upkeep and maintenance and food service in  
5 College Station. I think you'll find that the controllers  
6 in Texas that are contractors are more efficient as well.

7  
8 Again, thank you for all of your time and what  
9 you do for Texas. We have one of the greatest highway  
10 systems in the world, thanks to you gentlemen. Any  
11 questions?

12 MR. HOUGHTON: Thanks, Jim. Thank you very  
13 much. Appreciate that a lot.

14 Next is the chair of the Aviation Advisory  
15 Committee, Gordon Richardson. Gordon.

16 MR. RICHARDSON: Thank you, Mr. Chairman and  
17 commission members. I'm here today to support what has  
18 already been discussed as far as Dave Fulton's  
19 presentation, as well as Jim Schwertner's.

20 I live over in Caldwell, and I want to talk  
21 briefly, in addition, about Easterwood Airport.  
22 Easterwood Airport is a unique airport in some respects,  
23 in that there is tremendous Department of Defense traffic  
24 in there. Forty-three percent of fuels sales of that  
25 airport come out of Department of Defense aircraft, coming

1 out of Corpus Christi, Randolph Field in San Antonio,  
2 Laughlin Air Force Base in Del Rio, and so forth.

3 That's a tremendous economic generator. DOD  
4 cannot operate in an airport that doesn't have a tower.  
5 In addition to that, there are football games that take  
6 place, as you know, and there's as many as 300 to 350  
7 aircraft movements during that time of the football game.

8  
9 Imagine an airport without a tower with up to  
10 300 or more aircraft movements back and forth, coming and  
11 going, and deciding to park and where not to park and so  
12 forth. It's just amazing.

13 As a pilot myself, I got my license at  
14 Easterwood Airport many years ago. If I was flying into  
15 Easterwood without an airport and I called in on the  
16 common frequency of 122.9, which you are supposed to talk  
17 on, if there isn't a tower, and I called in about ten  
18 miles out, and at the same time there's a student pilot in  
19 the pattern, at the same time, there's an American Eagle  
20 on a five-mile final, coming in from the north, and the  
21 American Eagle announces his intentions to land but the  
22 pilot that's flying in the pattern has got his volume  
23 turned down and he hadn't turned it up, so he's not  
24 listening to the frequency and he's not transmitting on  
25 the frequency, it's a serious, serious safety concern.

1 Jim's talked about the economic impact of the  
2 airport, but I just want to reiterate that safety in all  
3 of these airport proposed tower closings is what this is  
4 all about.

5 We think -- I say we, the Advisory Committee  
6 for TxDOT aviation, we think this is the most important  
7 issue that has ever come before us as an advisory  
8 committee, and I thank you all for your concern.

9 MR. HOUGHTON: Thank you, Gordon. Next is  
10 Assistant Aviation Director Anne Gaines, City of Sugar  
11 Land, Sugar Land Regional Airport. Anne?

12 MS. GAINES: Good morning. Good morning, Mr.  
13 Chairman and commissioners. I will be reading a letter  
14 from Mayor Thompson of the City of Sugar Land, and a  
15 statement from the Director of Aviation, Philip Sapco.  
16 And they both regret that they cannot be present here  
17 today.

18 "Dear Commissioners, on behalf of the City of  
19 Sugar Land, I would like to express my sincere  
20 appreciation to the Texas Transportation Commission for  
21 your consideration of emergency assistance to the 13  
22 airports in Texas whose air traffic control towers are  
23 slated for closure by the FAA in the next month as a  
24 result of federal budget sequestration.

25 "Additionally, I would like to thank Governor

1 Perry, TxDOT Executive Director Phil Wilson, and TxDOT  
2 Aviation Division Director David Fulton for their  
3 leadership and advocacy regarding the importance of these  
4 air traffic control towers.

5 "These towers critically enhance safety at the  
6 impacted airports that are vital to our local, regional  
7 and state economies. The Sugar Land Regional Airport,  
8 which is the number-one reliever airport for the Houston  
9 region, and one of only eight nationally rated general  
10 aviation airports in the State of Texas, has proudly  
11 partnered with the Texas Department of Transportation for  
12 many years. Through grants, TxDOT Aviation has invested  
13 \$50.8 million in the Sugar Land Regional Airport to date  
14 and an additional \$20.9 million in projects as programmed  
15 over the next several years.

16 "I apologize for not being able to be in  
17 attendance at the special meeting this morning and would  
18 like to ask for your favorable consideration of emergency  
19 assistance for this critically important aspect of the  
20 aviation network in the State of Texas.

21 "Thank you again, and we look forward to  
22 continuing to partner together with TxDOT in the future.  
23 Sincerely, James A. Thompson, Mayor, City of Sugar Land."

24 Mr. Sapco has the following to add to the  
25 Mayor's comments.

1           "The withdrawal of FAA funding leaves the  
2 affected communities with some very limited choices as to  
3 the future of their airports. The FAA has given no  
4 consideration to these airports being general aviation,  
5 the difficulty in securing funding mid-fiscal year, or the  
6 challenges of making long-term decisions in a very short  
7 time frame.

8           "General aviation plays a significant role in  
9 the growth of transportation in the State of Texas and  
10 throughout the country. The industry has an annual  
11 economic impact of \$150 billion, and supports  
12 1-1/2 million jobs. On a local level, the Houston-  
13 Galveston Area Council estimates the direct and indirect  
14 impact of the Sugar Land Regional Airport to be \$95  
15 million.

16           "Our airport supports the Houston aviation  
17 system by relieving traffic at Bush Intercontinental and  
18 Houston Hobby. If the tower were to close, the airport  
19 could not effectively serve this role, resulting in an  
20 increase in congestion in the nation's fifth busiest  
21 airspace. The Sugar Land Regional Airport could not have  
22 become successful and nationally recognized without the  
23 air traffic control tower.

24           "Thank you for your consideration of emergency  
25 90-day funding. Philip Sapco, Director of Aviation."

1 Thank you very much.

2 MR. HOUGHTON: Anne, thank you very much. Our  
3 next speaker, Airport Director, Ken Wiegand, Collin County  
4 Regional Airport, City of McKinney.

5 MR. WIEGAND: Thank you, Chairman Houghton,  
6 commissioners, Mr. Wilson.

7 I'm Ken Wiegand; I'm director of Collin County  
8 Regional Airport, which has been stated. I'm here to --  
9 you know, a lot of the things that I wanted to address  
10 this morning and how it affects us has actually already  
11 been said, so I can abbreviate my comments.

12 I wanted to let you know what type of impact  
13 this is going to have on us. And Mr. Fulton brought it up  
14 very clearly. We are concerned with the safety aspect, of  
15 course. And it's because of this mix of aircraft that we  
16 address.

17 When you have Global Express aircraft, Global  
18 6000s, and the small single-engine airplanes that we're  
19 all used to seeing at small airports flying in the same  
20 traffic pattern, it just -- it presents a really dangerous  
21 situation.

22 With that said, there's another side of it,  
23 too, and that's the economic side. It has been brought up  
24 about -- you've heard several comments about the economic  
25 impact.

1 I think we're somewhere around \$90 million in  
2 direct and indirect impact to our community, and about 514  
3 jobs directly. But besides that, we have to operate our  
4 airports.

5 General aviation or business airports really  
6 don't have the propensity the larger commercial airports  
7 have to generate revenue. And revenue, of course, as you  
8 know, being businessmen, you need to have the revenue so  
9 that you can pay the expenses.

10 And these business aircraft are the ones that  
11 pay for our operations and help us pay for these  
12 operations, but they can't pay it all. So many of our  
13 airports, general aviation airports that are impacted by  
14 these federal cuts, have been deprived of badly needed  
15 financial assistance.

16 The cost of this tower is going to come out of  
17 my operating budget. Today, we have a \$600,000 a year  
18 shortfall in operating. That's pretty common. It's  
19 pretty common for our airport, and it's common for many  
20 others. They are all at different levels, of course.

21 With this tower expense of about 650,000 a  
22 year, that's going to put our shortfall well over  
23 1.2 million a year. I don't know how long, you know, we  
24 can support that type of funding.

25 But with your help in giving us 90 days to

1 assess our situation, weigh our options, and find the most  
2 cost-effective way of providing air traffic control  
3 services for our customers and for the flying public, it's  
4 is going to help us a great deal.

5 I look at you kind of like the Salvation Army  
6 or the Red Cross; you know, you're really helping us out,  
7 here. And you're going to help us get our financial ducks  
8 in a row so that we can keep these towers open.

9 There's one other thing, too, I wanted to bring  
10 up. I know this will come out sooner or later. I was  
11 interviewed by CBS radio -- television in McKinney the  
12 other day, and the reporter, who was complaining about  
13 potholes and about the TxDOT having to come up with \$7  
14 million -- I believe was the figure that was being thrown  
15 around in the Dallas area -- to repair those potholes, he  
16 asked me what I thought about that.

17 Well, being the owner of an automobile, being  
18 an airport manager for almost 30 years, I just simply  
19 informed him and reminded him that the business aircraft  
20 that are using our airports represent the companies. They  
21 are business tools for the companies that are employing  
22 people who buy cars and use the roads, and that's what it  
23 all comes down to.

24 And I think the chairman mentioned that we have  
25 a unique system of transportation. It's almost seamless.

1 And we all work together and support one another, and  
2 that's where this is really going to help us.

3 So that's about all I have to say. I want to  
4 thank you for your support, for everything that you are  
5 doing. I'd like to thank Dave Fulton and his wonderful  
6 Division of Aviation. They help us quite a bit.

7 And I can't leave this podium without thanking  
8 Commissioner Underwood for being so good to us and coming  
9 up to all of our groundbreaking and ribbon cuttings. We  
10 have had several now; you're probably getting pretty bored  
11 with it. But he has been up to all of them. And you were  
12 at our tower groundbreaking, I believe, and our ribbon  
13 cutting, as well. So thank you, sir.

14 Thank you, Mr. Chairman.

15 MR. AUSTIN: I had one quick question, sir. I  
16 really appreciate your comments about the companies that  
17 are in the area, the economic development. One thing, I  
18 felt like several airports, and I would like to ask you  
19 about McKinney, do you all provide support for any of the  
20 air ambulances or the hospital systems in the area?

21 MR. WIEGAND: Yes, sir, we do. We have  
22 Petroleum Helicopters International flying a sky-med. And  
23 they are continuously -- unfortunately, they are  
24 continuously flying in and out of the airport. And just  
25 as Commissioner Underwood mentioned, you know, they do fly

1 direct. I'm a helicopter pilot myself.

2 MR. AUSTIN: And I appreciate all of the  
3 comments everybody's making, because there's a lot of  
4 things that we are learning. I think there's a good  
5 educational purpose in what we're talking about today.

6 There's things that we all take for granted  
7 that somebody else does or provides. And these air  
8 traffic controllers, the airports, what you all do for the  
9 State of Texas, and the local communities is significant.

10 So thank you.

11 MR. WIEGAND: Thank you, sir.

12 MR. HOUGHTON: Ken, thank you. Next is Airport  
13 Director Scott Smith from Lone Star Executive Airport,  
14 Montgomery County.

15 MR. SMITH: Good morning, Mr. Chair,  
16 commissioners. On behalf of Montgomery County, I want to  
17 thank you for the work that you're doing and the  
18 opportunity to make several brief comments about this  
19 subject.

20 The tower at Lone Star Executive, owned by  
21 Montgomery County, was a transformational event in the  
22 development and operation of the airport, on several  
23 levels. I'm just going to pick on three points that  
24 illustrate that statement.

25 Number one, what we have been talking about is

1 safety. At Lone Star Executive, we have a tremendous mix  
2 of aircraft types, everything from Piper Cubs and RV4s,  
3 home-built aircraft up through state-of-the-art business  
4 jets, of which we have 16 based on the airport.

5 We have 24 Apache Longbow helicopters in the  
6 Army Reserve battalion that are very active and train at  
7 Conroe and go overseas into combat. We have air  
8 ambulance, a PHI helicopter that runs about 50 missions a  
9 month. So with that mix of traffic, the tower is  
10 invaluable in separating that on a safe basis and offering  
11 not only the safety but the efficiency in the use of the  
12 airspace, coming and going in the airport.

13 Point number two, we've had some comments about  
14 economic development and economic impact. Without the  
15 tower in operation at our airport, we would not see what  
16 is going on today, and that is the continual development  
17 of aviation businesses. We've got an \$8 million FBO  
18 facility under construction right now, in conjunction with  
19 our upcoming runway extension project. We would not see  
20 that development without the operation of a tower.

21 The City of Conroe has partnered with  
22 Montgomery County in economic development through its  
23 inception and creation of a technology park immediately  
24 neighboring the airport. And it's very dependent in its  
25 marketing strategy to use the synergy of the airport and

1 the tech park to attract customers in high-tech companies  
2 that have aviation uses, such as a flight department.

3 It can be only five minutes away from their  
4 aviation facilities. Generally, those type of companies  
5 are not going to locate at Conroe and be next to our  
6 airport if we don't have a tower.

7 I wanted to close comments with an anecdote.  
8 We talked about safety. An experience that we had at Lone  
9 Star about almost two years ago: We had a nighttime event  
10 where we had a civil air patrol pilot, a young lady, low-  
11 time pilot, about 120 hours on a training mission, in her  
12 Cessna 172, returning to our airport, coming in over Lake  
13 Conroe, had total engine failure at night. She was at  
14 about 2,500 feet.

15 The first thing she did was she called the  
16 tower, and we had a controller on duty that did a  
17 magnificent job of speaking to her and getting her to calm  
18 down, because she was visibly emotionally panicked, having  
19 to deal with the situation of an engine failure and so far  
20 from the airport.

21 And it's just interesting to hear the tower  
22 tapes and how the controller took charge of the situation  
23 by running her through her emergency checklist, getting  
24 her to calm down and start thinking processes about  
25 handling the airplane and what her options might be.

1           And when it was apparent she could not make the  
2 airport and had to set the airplane down in downtown  
3 Conroe, he dispatched, by luck, two Apache helicopters  
4 returning from a training flight to go over Conroe and try  
5 and find the spot where she had landed in.

6           It had a happy ending. She landed successfully  
7 without injury. But I have to think the presence the  
8 control tower had a hand in that.

9           I thank you for your efforts. I really  
10 appreciate the opportunity and your consideration of this  
11 emergency measure to bridge this for us through this tough  
12 period. Thank you very much.

13           MR. UNDERWOOD: A quick question for you, sir.  
14 Don't you have other government agencies on your airport?  
15 Is that right?

16           MR. SMITH: Yes, sir. We do have government  
17 agencies. We have the Drug Enforcement Agency.

18           MR. UNDERWOOD: That is what I thought I had  
19 seen.

20           MR. SMITH: Which utilizes enforcement  
21 interdiction missions. We are now also home to U.S.  
22 Customs Border Protection Air and Marine Division for  
23 Houston, which flies Citation jets, helicopters, and  
24 Cessna 210s enforcement and interdiction missions. And  
25 besides that, then the U.S. Army Reserve Aviation

1 Battalion.

2 MR. UNDERWOOD: Exactly. So you have all  
3 different types of aircraft, whether it be civilian or  
4 government and how critical that tower is going to be to  
5 you.

6 MR. SMITH: Yes, sir. It's extremely critical.

7 MR. UNDERWOOD: Thank you.

8 MR. SMITH: Thank you.

9 MR. HOUGHTON: Thank you. Next is Victoria  
10 County Judge Don Pozzi, Judge Pozzi, Victoria County.

11 MR. POZZI: Thank you, Mr. Chairman, Mr.  
12 Wilson, gentlemen. It's been a couple of years, I think,  
13 since I've seen all of you, when you were in Victoria a  
14 couple of years ago, for one of your meetings. You need  
15 to come back.

16 I don't know that I can add much to what has  
17 been said already as far as the safety issues. Obviously,  
18 those issues are paramount to any local or regional  
19 airport, as well as any other major airport.

20 So I wanted to talk to you a little bit more  
21 specifically about Victoria Regional Airport in Victoria  
22 County. That was formerly an Air Force base that was  
23 deeded to the county back after the Korean War, and it has  
24 been operated as -- owned by the county and operated as a  
25 regional airport since that time.

1           We have seen tremendous improvements at that  
2 airport; we certainly have appreciated the association  
3 that we have had with TxDOT over the last several years.  
4 They've been a great help to us, obviously, with funding  
5 opportunities.

6           From an economic development standpoint, I can  
7 simply say that without the tower in Victoria County, it  
8 would be devastating.

9           All of you are familiar with Victoria. You  
10 know where it is; you know why we call it the crossroads.

11          We're two hours from Austin, Houston, San Antonio, Corpus  
12 Christi, and we draw from about a 300,000 area as far as  
13 our passenger base.

14          We have over 800 plus -- 800-some-odd thousand  
15 flights that have been previously mentioned. Our flights  
16 are substantially over 220 a day, roughly between 65- and  
17 70,000 a year.

18          Very importantly, from industry primarily, with  
19 Caterpillar having opened their manufacturing plant there  
20 now. They will be in full -- they are in operation. They  
21 will be in full operation by 2014. They will be flying in  
22 approximately 5000 guests a year.

23          They use corporate aircraft. Because of  
24 various insurance reasons, it is unlikely that they would  
25 be able to fly into Victoria without that tower. And that

1 goes for a lot of other chemical companies in the area:  
2 INVISTA, Dupont, Formosa, and on and on for that  
3 particular area.

4 Further, I don't need to explain to you with  
5 what is going on with the Eagle Ford shale and what that  
6 has done to the counties west of us and certainly to the  
7 Victoria area, as far as business, retail sales. And  
8 again, those individuals use the airport very frequently.

9  
10 Probably most important, we have a military  
11 fuel contract with the federal government. They fly in  
12 for training purposes; probably about 65 percent of our  
13 daily flights are comprised of the Coast Guard, Navy, U.S.  
14 Army, Air Force; sometimes, although much less frequently,  
15 NASA.

16 We're talking about Homeland Security issues.  
17 We're talking about safety issues. It has become a very  
18 busy airport. Our traffic has doubled, the last two  
19 years. We expect that to continue to improve, as well as  
20 our commercial airline service. So again, to have the  
21 tower disappear from our community would be simply  
22 devastating.

23 We certainly have -- I appreciate you gentlemen  
24 considering these funding opportunities. I know you are  
25 looking at a 90-day period. I want to assure you that

1 since day one when we were notified of these closures, we  
2 have taken it upon ourselves to invest and get invested.

3 We have met with government, we've met with  
4 business, we've met with corporations in an effort to find  
5 some funding other than the federal government; quite  
6 frankly, other than the State of Texas, because we didn't  
7 expect this.

8 And we will continue to work on that, because  
9 it is not something that Victoria or any of these other  
10 communities can pick up or afford very long on their own,  
11 without using that nasty word no one in the public likes  
12 to hear.

13 So we appreciate your consideration. As has  
14 been previously mentioned, sometimes the guys in  
15 Washington just don't get it. Thank God for Texas and  
16 Texans like yourself. Thank you.

17 MR. HOUGHTON: Judge, thank you very much.  
18 That's a hard act to follow.

19 Airport Director Steve Luebbert, if I got that  
20 right, Texarkana Regional Airport. Is he here?

21 VOICE: Mr. Chairman, it's going to be Judge  
22 Carlow.

23 MR. CARLOW: Thank you, Chairman Houghton and  
24 Commissioners. I appreciate what you fellows are trying  
25 to do for us. A lot of what I was going to say has

1 already been said by previous speakers, but there are some  
2 unique things about the Texarkana Regional Airport.

3           The first thing I noticed today is that all of  
4 these guys that get up here and have talked this morning  
5 are pilots. I can tell you, I've got no clue how to fly a  
6 plane. But we've got the same concerns that everybody  
7 else has, about how important our airport is to our  
8 community.

9           We've got American Eagle, and it flies into  
10 Texarkana as well as a lot of general aviation. And  
11 American Eagle has not said, We'll pull out if you lose  
12 that control tower. But when they start looking at the  
13 liability issues, I'm very concerned that they will decide  
14 that they can't afford to take that risk.

15           We're developing a new industrial park there;  
16 Texas America Centers. It is 13,000 acres, that we got as  
17 a result of the last two rounds of BRAC, and we're  
18 attracting national, international businesses there.  
19 We're are doing a great job, but it depends on that  
20 airport.

21           Red River Army Depot is located in Bowie  
22 County. It's our largest employer. Some of these other  
23 bases have their own airports. We have Texarkana Regional  
24 Airport. And without that airport, we're going to have a  
25 hard time in 2014 and 2015 when the Department of Defense

1 at another round of BRAC. So we've got to have that  
2 airport.

3 And I'm afraid if we ever lose that control  
4 tower, it's hard to get something back that you don't have  
5 that's already been lost.

6 Texarkana's a little unique, and we share an  
7 airport with Texarkana, Arkansas, our sister city. We  
8 share a city library, the Chamber of Commerce, Texas A&M.

9  
10 Both of the hospitals are on the Texas side.  
11 The fairgrounds is on the Arkansas side. The art center  
12 is on the Texas side. The jail and the justice center,  
13 well, they straddle the state line.

14 But the airport is owned by the two Texarkanas,  
15 and we share our contributions, based on population. And  
16 the Texas side is 55 percent, Arkansas side is 45 percent.

17 So we've been talking to Governor Beebe in  
18 Arkansas, and he has agreed that Arkansas will come up  
19 with their 45 percent. We are asking you today for Texas  
20 to come up with the other 55 percent to keep our control  
21 tower in operation at least temporarily until we can get  
22 this federal issue straightened out. Thank you.

23 Any questions? And Steve Luebbert, the airport  
24 director is here. I don't know if he wants to make  
25 some -- do you want to make some contribution?

1 MR. LUEBBERT: You know I can't pass up the  
2 opportunity, Judge.

3 MR. HOUGHTON: Well, I called on you first,  
4 Steve. But I want thank former County Judge Carlow for  
5 coming over. He's a great friend of transportation in the  
6 State of Texas. We've worked with him a lot in the past.

7 But now you have the mic, Steve.

8 MR. LUEBBERT: Mr. Chairman, before Judge  
9 Carlow steps down -- Judge, thank you. I know you all  
10 have a unique situation with the airport up there. I know  
11 we haven't acquired it all yet, but I guess we will. But  
12 I see also you're wearing your I-69 pin.

13 MR. CARLOW: I am, proudly.

14 MR. LUEBBERT: And thank you for your  
15 leadership on Interstate 69. As the chairman said, with  
16 all the transportation initiatives and, you know, as we  
17 are looking at this, this goes from all corners of the  
18 state. But thank you for being here and for what you do.

19

20 MR. CARLOW: Thank you.

21 MR. HOUGHTON: Judge, did you say Texas A&M's  
22 in Arkansas?

23 MR. CARLOW: No, it's in Texas. I didn't  
24 say -- I named some things before I said which side they  
25 were on.

1 MR. HOUGHTON: Okay. I just wanted to make  
2 sure we were clear on that.

3 MR. CARLOW: Everything we have, we share on  
4 this. But Texas A&M is on the Texas side.

5 MR. HOUGHTON: Good. Okay.

6 MR. CARLOW: And I'm proud to say that.

7 MR. LUEBBERT: It gets blurry after a while,  
8 doesn't it?

9 Mr. Chairman, commissioners, I am Steve  
10 Luebbert. I'm the Airport Director at Texarkana Regional.  
11 Certainly, thank you. It is a long drive from Texarkana  
12 to here, so I also thank you for a fine highway system.

13 I want to touch on a safety issue that I think  
14 really drives to the heart of our concern. There are a  
15 number of other issues with losing a tower. But as you  
16 look at the pictures on the second page of that handout,  
17 that top picture is associated with a runway profile.

18 And you will note that from the top picture, it  
19 would appear that the runway is clear. Where the truck is  
20 located might be a departing jet. But the runway would  
21 appear to be clear.

22 That runway has got a ski-slope profile. Now,  
23 this is a compressed profile. But there is an apex about  
24 a thousand, 2,000 feet from the end of the opposite end of  
25 the runway that masks your line of sight.

1           We've known this for years. The control tower  
2 was built in 1969 to mitigate the lack of clear line of  
3 sight along this primary runway. So without the tower,  
4 you are dependent upon the pilot taking a position on the  
5 runway, looking at making a determination that it's clear,  
6 because what are we using? We're using see and avoid. He  
7 doesn't see anything.

8           And I can tell you from 50 years of flying,  
9 somebody is always on the wrong frequency. So maybe the  
10 transmission has been made, but perhaps it hasn't been  
11 received.

12           The aircraft that's simulated on the approach  
13 end of 4 starts to roll. When I took that picture, I  
14 asked an American Eagle jet to do a 180 on the opposite  
15 end of the runway and then position himself over the  
16 numbers and see what we could see.

17           He's not there. You can't see him. He starts  
18 rolling, and you're 2,000 feet down the runway before you  
19 see -- and as you look at the second picture, you see the  
20 top of the T tail and the engines.

21           And you're 1,000 feet on your way to takeoff.  
22 Visual conditions, you may have 13 seconds as you are  
23 accelerating towards each other to abort takeoff. But if  
24 you're at a half-mile visibility weather conditions,  
25 you've got seven seconds to impact from the time you

1 likely see each other.

2           You're not going to be able to stop.  
3 Somebody's going off the runway. And the only element in  
4 this equation that guards against this kind of ground-  
5 level line-of-sight masking is what we call the eye in the  
6 sky: It's our control tower, and it's one of his primary  
7 reasons to be.

8           And there are a number of others, and the paper  
9 talks to it, but that's the function that we have to  
10 absolutely preserve. So when we came out on the list, the  
11 standard for being exempted was some national level of  
12 interest. I could wrap myself in all sorts of national  
13 levels of interest. But to me, safety is a national  
14 interest level. And it didn't carry the day. So we  
15 stayed on the list.

16           I asked Governor Beebe, as the Judge pointed  
17 out, can you step up to Governor Perry's offer? If you  
18 can, we'll use that demographic statute that we have had  
19 on the books for decades where the two cities share costs.  
20 He agreed.

21           So I am here today to ask you, if you can put  
22 up the 55 percent share, we're going to take that 90 days  
23 and we're going to work about four different issues in  
24 trying to come up with a permanent solution. We will come  
25 up with a permanent solution.

1 I would be glad to answer any questions you all  
2 have.

3 MR. UNDERWOOD: I appreciate the visuals. It  
4 gives a whole new meaning to see and avoid.

5 MR. LUEBBERT: Yes, sir. It does.

6 MR. UNDERWOOD: You can't avoid what you can't  
7 see.

8 MR. LUEBBERT: Exactly.

9 MR. UNDERWOOD: Thank you.

10 MR. HOUGHTON: Steve, thank you very much.

11 Next is Larry Brown, the Director of Aviation,  
12 City of Brownsville.

13 MR. BROWN: Mr. Chairman, members of the  
14 commission, I'd like to thank you for giving us the  
15 opportunity to come before you here today.

16 As was mentioned, my name is Larry Brown. I  
17 serve the community as the Director of Aviation at the  
18 Brownsville-South Padre Island International Airport.

19 I rise to speak in favor of the proposal before  
20 the commission, Agenda Item number 2. And I also would  
21 like to note that I'm representing Mayor Martinez and the  
22 entire City Commission, the Airport Advisory Board, the  
23 Brownsville Citizens Advisory Committee and the BEDC, and  
24 about 4,000 people who we managed to get to sign a  
25 petition to help save our control tower.

1           We only got 4,000 because the FAA only gave us  
2 four days to do it, and so we've actually gathered some  
3 more since that time.

4           I think it's important to note that in the case  
5 of Brownsville, Brownsville is a true international  
6 airport as defined by U.S. Customs. We have a 24/7  
7 customs service at the Brownsville Airport. It's the only  
8 one between the mouth of the Rio Grande River and Laredo,  
9 Texas.

10           The Brownsville Airport is also situated about  
11 a mile and a half from a bend in the river. So we are  
12 situated literally a mile and a half from Matamoros,  
13 Mexico. We are at a place where. in the skies over top of  
14 the airport, you have two cities, two states, and two  
15 nations meet.

16           Every day, we have increases associated with  
17 general aviation traffic. We also have three commercial  
18 air carriers, including AeroMexico, coming from Monterrey,  
19 as well as Tampico, into the Brownsville Airport, carrying  
20 passengers.

21           The recent difficulties with safety and  
22 security in Mexico has caused a substantial increase and  
23 interest of people who are interested in flying into the  
24 country because they don't feel safe in driving or taking  
25 a bus. That's important to our local economy, as well as

1 the state's economy.

2 It's also important to note just from personal  
3 experience, too, some of the things that happen along the  
4 border that is associated with the airport. And that is  
5 children who are in school for example, right now, in  
6 Brownsville -- and this has happened on multiple  
7 occasions. Children who are in school have more than one  
8 time become excited simply because there are helicopters  
9 that are flying very close to those individual schools.

10 And the kids get excited. The superintendent  
11 of the school calls up to city hall. The city hall people  
12 call me. I call the tower to find out exactly what is  
13 going on. Why is that aircraft or that helicopter so  
14 close to that school?

15 So we find out, well, it's a border patrol  
16 helicopter, or whatever the case may be. We relay that  
17 back to the school district, get the kids settled down,  
18 they continue going to school. Every day, something like  
19 that is taking place, when you live along the border.

20 So that tower becomes very important, not just  
21 to the local community, not just to the state, but also to  
22 the national defense. And we think that is important. We  
23 wish the FAA would have recognized that. But we  
24 appreciate the fact that you all have and are willing to  
25 help. Thank you.

1 MR. HOUGHTON: Next is David Goad from New  
2 Braunfels.

3 MR. GOAD: Yes, sir. I'd like to apologize  
4 first. I had to take some medications for a heart issue a  
5 few years ago, and I have some memory problems, but since  
6 we're all on -- first, I have a question for you. What is  
7 the aviation budget? Is that in fact the federal funding?  
8 I was told yesterday that this money is waiting in an  
9 account, so they wanted to use it to keep the towers  
10 going. Is that true or untrue?

11 MR. HOUGHTON: I can't answer that.

12 Dave, can you answer that question?

13 MR. FULTON: The budget consists of federal and  
14 state funds. As I mentioned earlier in the presentation,  
15 we handle the grant funds for general aviation airports in  
16 Texas.

17 We also have some grant funds in state grant  
18 funds. And our total budget, I believe, for the two years  
19 is about \$193 million.

20 MR. HOUGHTON: Stay close, Dave.

21 MR. GOAD: Thank you.

22 MR. HOUGHTON: Any more questions, David?

23 MR. GOAD: Not at this time, sir.

24 MR. HOUGHTON: Okay.

25 MR. GOAD: I am going to be on the opposite

1 side of the fence. I notice the pendulum is over here; on  
2 this whole hour and five minutes has been way over here.  
3 I am going to go over here for a moment.

4 I purchased my first airplane in late >77, I  
5 believe. I've flown bush in Alaska. I have flown  
6 throughout Canada. I have flown throughout the United  
7 States.

8 The only place I don't think I have touched  
9 down is Maine. I have flown into Cabo. Float planes,  
10 landed on the beach. Flown upside down underneath bridges  
11 at over 200 miles an hour, taught by Navy flat-deck pilots  
12 out of San Diego.

13 I myself have had more near misses and deadly  
14 incidences with control towers than non-control towers.  
15 And I will explain to you why, and I'm using this for New  
16 Braunfels.

17 My purpose here is to tell you to look at each  
18 airport individually, because not all airports need this  
19 money taken away from taxpayers. And there are airports  
20 out here that do need money and probably money that  
21 shouldn't go to New Braunfels should go to where they are  
22 needed.

23 For example, in New Braunfels -- I moved there  
24 six and a half ago because I had seven aircraft, aircraft  
25 that would cruise in excess of 300 miles an hour. And

1 they're little twin engine airplanes and a Harmon Rocket  
2 that I constantly rolled around in, over 200 miles an  
3 hour, down into Mexico, back and forth.

4 And what they did in New Braunfels is they  
5 wanted federal funding to become a regional airport. They  
6 had this idea that all of the businesses from San Antonio  
7 would come out there.

8 So they ran across a company called Silver  
9 State, which many of you have heard of. And what they did  
10 around this country -- and they did it near Houston too --  
11 is they would go in, say we will give you the takeoffs and  
12 landings or operation numbers so you can get federal  
13 funding. Just give us a building in there.

14 So the taxpayers in New Braunfels -- now, we  
15 have to remember, there's only 60,000 people there, a  
16 pretty small community with an airport that didn't have  
17 very many aircraft out there. They built the tower with  
18 taxpayers' money.

19 Silver State was going to train tower  
20 operators. And then they built them a several-million  
21 dollar building, all of which went up in a bankruptcy that  
22 cost many people in this state their homes; that had to in  
23 fact mortgage their homes to pay for their helicopter  
24 training for their children. It was about 70,000. You  
25 have an ex-DA, I think, or an attorney in Dallas, that

1 both children lost their money, and it went into a big  
2 bankruptcy.

3 So New Braunfels had to keep this tower going,  
4 so in January of '09, they brought in -- they paid a  
5 company called Right Flyers to come out there, to get the  
6 takeoff and landings up for operations. And they hired a  
7 private contractor. Prior to this, they had their own air  
8 traffic controllers.

9 Now, I want to tell you what happened when they  
10 had their own air traffic controllers they were training  
11 with FAA supervision. I was pulling out of the airfield  
12 in my little rocket, clipping along at a little over 200  
13 miles an hour. And a jet went right over the top of me.

14 Right about the time when I got out of their  
15 traffic area, I normally pull up, and I pull anywhere from  
16 2- to 6,000 feet a minute in that aircraft when I  
17 accelerate upwards. It's that type of plane. But I wait  
18 until I get out of the area where the air traffic is.

19 And this jet came right dead center over the  
20 top. We were, combined, about 400 miles an hour. Didn't  
21 see him coming, didn't -- nothing. Turned it into the FAA  
22 report. Wouldn't investigate it; nothing happened.

23 Next, my daughter was cleared. I taught my  
24 daughter to fly at twelve years old. Took her to Alaska  
25 for a month and we flew bush for a whole month in Alaska.

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She was soloing. I think it was her 16th birthday at New Braunfels field. She soloed there. And later on I was instructing her -- I turned her loose on Runway 3-1. We have converging Runway 3-1 and 3-5 converge.

I had the handheld radio, got out of the airplane. She took off on 3-1. The tower cleared her. Two people in the tower cleared her. She took off. Then they cleared another Mooney on 3-5, after her, that could accelerate at twice the rate.

I didn't say anything to anybody. I just keyed the mic, which canceled the tower's communication. I said, Kristen, as soon you lift off ground, make a hard left and pull out of the pattern. And she got out of the pattern.

So right after this, again, they hired -- they brought in Right Flyers. Right Flyers was there from January 9 through April 9. They had approximately 400, according to the Clinton Kidwell.

Now, let me tell you a little bit about Clinton Kidwell. Clinton Kidwell has won every award the FAA has ever offered as an air traffic controller. He saved -- they believe -- he was awarded for four different accidents where he saved lives. And he was the tower

1 operator in there.

2 And when this -- when Clinton was there and  
3 Right Flyers came out there, the operations went up like  
4 400 a day with these Asian flyers coming in. And the City  
5 wanted us to get the numbers up so they could get your  
6 money and our money and everybody else's money.

7 It only lasted four months. Mr. Kidwell said  
8 that we cannot handle this many operations, up to 400 a  
9 day, with two control tower operators running twelve hours  
10 a day, seven days a week. They fired him.

11 And if you'd like his phone number to verify  
12 what I have said; they fired him, with his safety record,  
13 and everything, because they said, well, you just need to  
14 work people harder.

15 Now, during this time -- a little prior to  
16 this, the owners of Schlitterbahn -- you may know the  
17 water park down in New Braunfels; it's our main attraction  
18 in the city.

19 They had a Cessna 310, twin-engine Cessna 310  
20 six place with two of the owners in the aircraft and their  
21 chief pilot, which I happen to be acquaintanced with. And  
22 I sat in a meeting similar to this meeting with about the  
23 same amount of people, where he told a newspaper reporter  
24 that he was on approach.

25 Now when Silver State -- one of the contractual

1 agreements Silver State had to make in New Braunfels was  
2 to do their helicopter autorotations on the field. And if  
3 anybody knows what that is, basically it's a power-out  
4 emergency landing in a helicopter.

5 And that was a requisite of the city; that they  
6 had to do those autorotations on the field to get their  
7 counts up, which I -- you can call that whatever you want,  
8 whether that is being truthful or deceptive.

9 Well, on approach, the pilot described to the  
10 reporter and the rest of us that they dodged one  
11 helicopter. They both come in the same way. They dodged  
12 one, and it was okay.

13 And as soon as they were setting up to pull the  
14 nose to come in, a second one. And they thought they were  
15 all dead. Nothing happened. We set up meetings with the  
16 FAA. They wouldn't even come out and meet with us, to get  
17 this straightened out. And these are nonunion workers.

18 Now, I have been around airfields with union  
19 and nonunion, and I can tell you, there's no comparison.  
20 Union controllers are the finest controllers on this  
21 planet.

22 And the reason why? We'll use Mr. Kidwell as  
23 an example. I didn't plan on bringing this up, but unions  
24 have a power to get around things, whereas, Mr. Kidwell  
25 had nothing.

1           When he said, we need more safety with this  
2 many takeoffs and landings, they fired him. That would  
3 have never happened in a union. So I think that may be  
4 one example.

5           MR. HOUGHTON: Mr. Goad.

6           MR. GOAD: Yes, sir.

7           MR. HOUGHTON: Can you wrap up and get it to  
8 the point? We are going to lose --

9           MR. GOAD: Well, we have been an hour and  
10 something minutes.

11          MR. HOUGHTON: No. We are going to lose a  
12 commissioner.

13          MR. GOAD: Okay.

14          MR. HOUGHTON: And it's not because --

15          MR. GOAD: All right.

16          MR. HOUGHTON: We're going to lose a  
17 commissioner. We'd like to have you wrap this up.

18          MR. GOAD: Okay. Economics real quickly:  
19 There's an economic figure here, too. New Braunfels, over  
20 that airport has put \$23 million in it. This is for a  
21 community of 60,000.

22                 They funded \$4 million to the Scooter Store.  
23 As you know, they ripped off the American public for \$108  
24 million. Silver State, same thing; went out.

25                 Now they have got another one. They are paying

1 \$300,000 to move 14.7 nautical miles from one airport to  
2 another airport, giving them \$300,000 cash plus \$4 million  
3 building. So it's harming our community economically,  
4 because our children have to pay for all of those bonds  
5 that they're doing to get this money.

6 MR. HOUGHTON: I understand that, Mr. Goad.  
7 Are you complete?

8 MR. GOAD: Yes. I'm not complete, but I  
9 realize that you don't want to hear what I have to say.

10 MR. HOUGHTON: Thank you very much.

11 Commissioner Austin, I understand you have to  
12 catch a plane. And I appreciate you showing.

13 MR. AUSTIN: I'm going to be relying on control  
14 towers.

15 MR. HOUGHTON: Thank you. Safe travels.

16 MR. AUSTIN: Mr. Chairman, before I leave, I  
17 want to say I appreciate everybody that has come to speak.  
18 I am sorry I have to go. This has taken a little longer  
19 with the comments.

20 Davis, I know I am not going to have a chance  
21 to hear your comments, but we've had a chance to visit,  
22 with the importance of everything. And I do -- I will  
23 support what you all do. So thank you all.

24 MR. HOUGHTON: Thank you. Safe travels. The  
25 President of the Texas Aviation Association, Jay

1 Carpenter. Jay?

2 MR. CARPENTER: Thank you, Mr. Chairman, and  
3 commissioners and everyone attending. I appreciate the  
4 invitation to come here.

5 I'm Jay Carpenter. I represent the Texas  
6 Aviation Association, which is a nonprofit corporation  
7 that basically is set up to promote and preserve airports  
8 and general aviation in Texas.

9 I will be very brief, because I can hardly  
10 explain better than was so eloquently stated by the  
11 predecessors in front of me. But I was a pilot back when  
12 the Texas airports were in not such good shape. And  
13 thanks to Dave Fulton and his excellent staff at TxDOT and  
14 Mr. Wilson's supervision of that, we now have a state-of-  
15 the-art airport system in the state of Texas.

16 When the contract control towers were approved  
17 and started being built -- and I understand that two are  
18 still in the pipeline to be built -- this was just like  
19 the icing on the cake, because the safety factor, which I  
20 wish to address primarily, is paramount.

21 One thing that happened in Georgetown is that,  
22 before they had a control tower, they did have a midair  
23 collision. I was at the airport that day. And thanks to  
24 the wisdom and the activity of the Georgetown government,  
25 they very promptly saw the need for separation control.

1           Two airplanes tried to land on the same airport  
2 runway at the same time. And though no one was killed,  
3 those folks were injured. And so now that we have the  
4 control tower there -- and I was based there at the time.

5  
6           On a light-wind day, you have four potential  
7 runways, and if you're just deciding, I will use 1-1. I  
8 will use 1-8 and 3-6, you had a potential for danger. So  
9 since the Georgetown airport has been -- the tower has  
10 been constructed, I feel a lot safer flying there.

11           There's a lot of news media in the national  
12 environment about cities trying to sue the FAA in order to  
13 foul up the works or slow -- Spokane, Washington, was just  
14 one, to cite an example. And to me, this is kind of like  
15 stirring the ant bed. It muddles things up, but it's not  
16 really -- it's a reactive indication.

17           But what I feel is happening here in today's  
18 meeting is a proactive; before something bad like midair  
19 collisions or any of the other things that the ladies and  
20 gentlemen who have spoken before me. If you take  
21 proactive means to prevent something, you're benefitting  
22 everyone.

23           So I am sort of the smallest minnow in this  
24 large aquarium of flyers. I'm just -- I fly a little  
25 puddle-jumper Tiger. But I know that flying to these

1 controlled airports benefits all, so I would suggest that  
2 you support the proposition in front of you, and  
3 additionally funding.

4 The last thing I will say, that when pilots  
5 like myself that are just novices and we're learning, we  
6 hire certified flight instructors. My good friend Bill  
7 Gunn from TxDOT is the safety director. And he has given  
8 me my BFR, biennial flight review, on several occasions.

9 And every time that you get with an instructor,  
10 you learn. Every flight you take, you learn more. But  
11 something that hadn't been mentioned is that these control  
12 tower operators, the controllers are also instructors.

13 Because there's many times you'd be flying into  
14 an airport, and you get handed off to this or that and you  
15 try to repeat what they told you, and you may make a  
16 mistake.

17 And they are very quick to come back and say,  
18 No, here's is what we meant for you to do. They too, are  
19 flight instructors. Not certified, but they are helping  
20 you to repeat the things that you learned when you  
21 actually paid someone to teach you to fly.

22 So that point is, I think, important to know.  
23 And I thank you for your time and everyone's support of  
24 this measure.

25 MR. HOUGHTON: Thank you, Jack.

1           The next is airport manager Sarah Hinton,  
2 Georgetown Municipal Airport. Sarah.

3           MS. HINTON: Good morning. Thank you for the  
4 opportunity to be here. We appreciate your time very much  
5 this morning.

6           I am the airport manager at Georgetown, Texas,  
7 of which you've heard some incidences previous to me  
8 showing up here. I am a 24-year pilot. And if it gets me  
9 any points, I am a graduate of Texas A&M University.

10           We appreciate the opportunity for this  
11 temporary funding to bridge this gap for us right now. We  
12 are hopeful that the United States Government will step up  
13 to the plate and continue the funding after this 90 days.

14  
15           They need to -- the Federal Aviation  
16 Administration is charged with aviation safety. They put  
17 in airports based on a benefit-cost ratio of 1.0. And  
18 Georgetown met that benefit-cost ratio of 1.33.

19           I ask them why at this point now do they not  
20 think that their benefit cost ratio is valid anymore,  
21 because we do meet the standards that they required.

22           Safety is an issue, and economic impact. The  
23 safety is an issue due to the mix of aircraft at our  
24 airport. We have jets there. We have piston aircraft  
25 there. We have jet helicopters and piston helicopters.

1           And what happens with this mix of aircraft is  
2 that -- in the incident that happened in 2004, we had a  
3 jet on final approach, a straight-in approach. We had a  
4 jet on straight-in approach to the main runway at  
5 Georgetown, and we had another pilot in the pattern.

6           And so what happened is the pilot in the  
7 pattern couldn't see the jet that was coming straight in,  
8 and so they ended up 40 feet from the end of the runway on  
9 top of each other.

10           That gentleman has a titanium rod in his back  
11 at this point. He still flies today, but it's very  
12 painful for him. He flies back and forth to Canada for  
13 business, and he has four small aircraft at our airport  
14 now.

15           Our airport is increasing in our operations.  
16 We have gone upwards since the beginning. We had a  
17 downfall in operations due to the economy in 2008, but now  
18 we are climbing every year. We just reached our highest  
19 month of annual operations, at over 6,500.

20           I can tell you one day in February when we had  
21 an event going on at the airport, we had 406 operations.  
22 A normal busy hour for us is 40. We had 81 operations  
23 during that one hour on that very beautiful Saturday in  
24 February.

25           So it's very important that we have the air

1 traffic control service, because they provide the  
2 separation for these different types of aircraft. And it  
3 allows the aircraft -- the mix of the aircraft that we  
4 have to continue to be based there.

5           There was a student pilot flying one day. And  
6 I know for some people, it's very easy for you to  
7 determine if you are east or west. But this particular  
8 student pilot was confused, and he told the tower that he  
9 was southwest of the airport when indeed he was southeast  
10 of the airport.

11           Two other instructors were in an aircraft, and  
12 they heard the distressed pilot. It was a student pilot.

13           And they actually got in contact with the tower. The  
14 tower guided them out there. And actually they flew side  
15 by side until they got back to the airport.

16           And then they led that -- just like the fighter  
17 jets do sometimes when you are in the wrong air space,  
18 they lead you in. Well, these two were leading this  
19 student pilot in, and he was very thankful that he had the  
20 help of the control tower to get back, because he was very  
21 confused. He thought he was southwest, and he was really  
22 southeast, and he was entering into some Bergstrom  
23 airspace over there. So they actually -- we felt like the  
24 tower combined with that pilot saved a life that day.

25           The economic impact at Georgetown, as Mr.

1 Schwertner said, is 33 million. You have over \$9 million  
2 in salaries and wages paid out there, and we employ over  
3 225 people.

4 With this air traffic control closure that we  
5 were slated for, Georgetown was going to be unable to fund  
6 that. So with this -- with your -- the opportunity of you  
7 affording this 90 percent match, we are able -- we are  
8 going to be able -- hopefully with our council approval  
9 tomorrow, we will be able to stay open.

10 The economic impact across the nation is great  
11 as well, because this has affected 80 percent of the -- a  
12 thousand air traffic controllers that will lose their jobs  
13 across the nation, 80 percent of those are your military  
14 veterans.

15 So you are putting -- the government is putting  
16 over 800 people -- 800 of your military veterans out of a  
17 job. And so I think that's huge. Let's see.

18 MR. HOUGHTON: Could you start wrapping up a  
19 little bit?

20 MS. HINTON: Yes, sir, I will.

21 MR. HOUGHTON: Thank you.

22 MS. HINTON: I'd just like to thank you for the  
23 opportunity. And we appreciate all of you that showed up  
24 today.

25 We appreciate the direction of Dave Fulton. He

1 has been in touch with us constantly since the end of  
2 February, making us -- keeping this active. And you know,  
3 and he also has the state and government's eyes.

4 And we also appreciate Mr. Schwertner's input  
5 in everything. And of course, our Governor Perry. Thank  
6 you very much for your time.

7 MR. HOUGHTON: Thank you, Sarah.

8 Next is Jim Wimberly, Texas Aviation Partners,  
9 City of San Marcos. Jim?

10 MR. WIMBERLY: Good morning, Commissioners. I  
11 have changed my comments about six times in the past hour  
12 or so. In the interest of timeliness, I'll truncate my  
13 comments to just a handful of observations.

14 I do work for Texas Aviation Partners, but we  
15 represent the City of San Marcos, Texas. We are a private  
16 company, but we manage and develop and operate the airport  
17 on behalf of the City of San Marcos.

18 My background is both in airports and in  
19 airlines. I was the manager of Hobby Airport in Houston;  
20 Ellington Field, Waco; Madison Cooper Airport, and now the  
21 airport in San Marcos. I recently retired from Southwest  
22 Airlines as the chief operating officer, after 24 years.

23 Fortunately, none of the airports that are in  
24 question today, that Southwest does not provide service  
25 to. But just from an airline perspective, there would be

1 no Southwest operations at any airport that did not have  
2 either a federally operated airport or a contract tower  
3 operation, and it's just purely based on safety.

4 In San Marcos, we have a unique situation.  
5 Someone mentioned earlier if you've seen one airport,  
6 you've seen one airport. And that is truly the case. In  
7 San Marcos, we are the only FAA designated reliever  
8 airport that supports two international cities in Texas:  
9 both Austin and the City of San Antonio.

10 We also have a growing, robust student pilot  
11 program, which adds the additional need, from a safety  
12 standpoint, to have a controlled airport environment.  
13 When you get this mix of experienced pilots and student  
14 pilots, it is even more important as was mentioned  
15 earlier, to have that extra help in the control tower with  
16 student pilots.

17 Lastly, this -- in some ways this is a business  
18 decision. I work for a private company. They give you  
19 the cost-benefit analysis of this expenditure that you are  
20 considering, versus the safety and the economic benefits  
21 that come from having controlled airports in Texas.

22 I think it is a pretty easy decision. We can't  
23 leave here without -- as everyone else has said, Dave  
24 Fulton and his team have done an extraordinary job on  
25 behalf of the aviation system in Texas. Phil Wilson has

1 jumped in and made a great difference as well.

2 And let me just -- I'm going off the record  
3 publicly for a second and just saying privately as a  
4 Texan, I want to thank the Governor. And I saw last night  
5 on TV a recreation of the famous TxDOT campaign, Don't  
6 Mess with Texas.

7 I want to add to that. Not only on the ground,  
8 but don't mess with Texas in the air, either. Thank you  
9 for your leadership.

10 MR. HOUGHTON: Thank you, Jim.

11 The next is Assistant Aviation Director Tim  
12 O'Krongley from the City of San Antonio aviation system.  
13 Tim, did I get it right?

14 MR. O'KRONGLEY: Well, thank you very much.  
15 And in the interest of time, I will keep my comments short  
16 as well.

17 But just to recap, my name is Tim O'Krongley,  
18 Assistant Aviation Director for the City of San Antonio.  
19 San Antonio owns and operates both San Antonio  
20 International Airport and Stinson Municipal Airport, which  
21 is the second oldest continuously operated airport in the  
22 country, and we've had a control tower since the early  
23 '50s.

24 Stinson in the last couple of years has ranged  
25 anywhere from 109,000 operations annually to over 150,000.

1       That's a lot of traffic. And the south side of San  
2 Antonio, if you're familiar with the economic situation  
3 going on there, is booming and booming at a tremendous  
4 rate, with Toyota, Brooks City-Base, the Eagle Ford.

5               All of those are creating a new economic base  
6 for which Stinson is growing, and growing quickly, and we  
7 serve those tenants. We have a lot of military  
8 interaction. San Antonio has quite a few military bases,  
9 and they utilize Stinson.

10               And we have quite a bit of student pilot  
11 training as well. So echoing on the safety issues that I  
12 think have been hit adequately here quite a bit, that is a  
13 concern, obviously.

14               There's other issues at hand that worry us  
15 about not having a control tower. We've heard from our  
16 tenants -- and we have a vast array of tenants at the  
17 airport.

18               We have several airborne law enforcement  
19 agencies, helicopter ambulance support operations, civil  
20 air patrol. Our community college has a program there.  
21 They're all tenants and utilize the facility and rely on  
22 the control tower.

23               But one of the biggest issues, we've invested  
24 along with partnership with TxDOT a lot of money in that  
25 airport to provide those safety and those services over

1 the last several years. We are currently in the design  
2 for a new control tower and have committed to that.

3 What this has done is not allowed us to  
4 properly prepare, in the city municipality budget world  
5 that we work in, the short time frame that FAA gave us to  
6 budget and come up with other solutions. So we appreciate  
7 the efforts being presented today, and we speak in favor  
8 of that.

9 And thank you very much. I want to thank you  
10 as commissioners and Dave and his staff and everyone for  
11 bringing this forward.

12 MR. HOUGHTON: Thanks, Tim.

13 Next is Mayor George Garver from Georgetown,  
14 Texas. Mayor.

15 MR. GARVER: Good morning. I'd like to express  
16 on behalf of the City of Georgetown our deep appreciation  
17 for the support and help that TxDOT has given to our city  
18 historically on a number of agendas.

19 It wasn't many months ago I stood before you  
20 and expressed our appreciation for your help in surface  
21 transportation that tided us through a year. And the  
22 funding we received from TxDOT was very important to us.

23 Today, on behalf of our city, I extend to you  
24 the same appreciation for your willingness to look at our  
25 needs and our problems that we would have without that

1 tower. I will not go back through the issues that I had  
2 identified; redundancy is not necessary in a situation  
3 like this.

4 I simply say to you, we appreciate your  
5 patience and your tolerance and your interest in looking  
6 very carefully at the issues that are brought before you.

7 With that, I simply say, we really appreciate what TxDOT  
8 does, and we thank you for this.

9 And we are hopeful that we will find an ongoing  
10 solution to this question of how to maintain the towers  
11 that are so important to many of our smaller airports.  
12 Thank you, gentlemen.

13 MR. HOUGHTON: Mayor, thank you.

14 Airport Director Lenny Lerena -- I hope I got  
15 that right -- New Braunfels Regional Airport. Lenny, is  
16 that right? Lenny, you're the only person between us and  
17 a vote, so --

18 (General laughter.)

19 MR. LERENA: Well, let me make it brief. Lenny  
20 Lerena, New Braunfels Regional Airport. Mr. Chairman and  
21 commissioners, thank you very much.

22 I just want to speak about a couple of things  
23 about the airport and a couple of things about my past  
24 professional career as a pilot; not as a pilot of 200  
25 miles under a bridge, but a professional pilot.

1           And as a hint, it's very easy to go to the  
2 internet, and go to the FAA website and put a name and  
3 find if somebody has a license or doesn't have a license  
4 as a pilot. That tells you whether you are a commercial  
5 pilot, flight instructor, private pilot. So, you know, it  
6 is easy, besides the point.

7           New Braunfels, it is Class D air space that was  
8 formed for the tower has the southeast corner of the Class  
9 D airspace in which the Air Force comes into the auxiliary  
10 field in Seguin.

11           And these are jets, fast-moving trainer jets  
12 that our tower keep separation between those jets and the  
13 private aircraft that are coming into the New Braunfels  
14 airport. So that's a really, really safety concern.

15           I think everybody, all my airport counterparts  
16 and city and county officials, have talked about economic  
17 impact and everything else. I just wanted to share a  
18 little story about you know, my experience as a pilot.  
19 And I will make it very short.

20           I went to Embry-Riddle Aeronautical University  
21 back in the '90s. In the late '90s, while I was flying  
22 out of Daytona Beach International Airport, there was a  
23 training flight out of Embry-Riddle Aeronautical  
24 University, a flight instructor and a student.

25           They were going in to do touch-and-go's into

1 the airport, a very busy area with over 150 training  
2 aircraft at the same time, flying all over the place. At  
3 the same time, the PA28, Piper 28, a Cherokee 180, was  
4 approaching the line floor, there was a twin engine coming  
5 in to approach the airport at a different runway in an  
6 instrument-simulated approach.

7 There was no tower to separate these two  
8 aircraft. And as they approached the airport, collided  
9 into the two of them. A good friend of mine, who was a  
10 flight instructor on that PA 28, died, and his student  
11 died.

12 And the airline pilot and his flight instructor  
13 that were flying in the other aircraft, the airline pilot  
14 was trying to get trained in this aircraft so he can rent  
15 it on a weekend basis, and they collided and crashed. I  
16 lost a good friend of mine and a student at Embry-Riddle  
17 University in that particular fatal crash.

18 And this is no joke when you don't have a tower  
19 and you fly into an airport in which there is nobody to  
20 tell you about wake turbulence. It's very dangerous to  
21 mix jet engines and little propeller aircraft, as wake  
22 turbulence you know, creates tornado-like winds.

23 And these little aircraft can get into this  
24 wake turbulence and actually be put upside down and crash.  
25 We have the wake turbulence of helicopters; we have

1 AirLife that flies in and out of our airport. You know,  
2 it helps to get accidents out of the I-35 corridor, almost  
3 to South Austin, and I-10 corridor, all the way past  
4 Gonzales.

5           These helicopters, when they come and approach,  
6 they also create a wake turbulence. So the tower creates  
7 that separation. And there is a reason why sometimes they  
8 don't come on the runways, because there is aircraft  
9 actually taxiing and ready to take off. And you don't  
10 want to get into this wake turbulence.

11           There are so many other issues that I can  
12 touch, as a former flight instructor and professional  
13 pilot. But you know, I want to thank you for your  
14 support, and Dave and his staff. And thank you very much,  
15 guys.

16           MR. HOUGHTON: Thank you, Lenny.

17           For the record, Airport Manager Davis Dixon of  
18 Tyler -- City of Tyler is not speaking, but for the agenda  
19 item.

20           Associate Vice President Cindy Reilly, of Texas  
21 State Technical College is for, not speaking. And  
22 managing partner of Red Media Group, Angela Hale, City of  
23 McKinney is for, but not speaking.

24           Dave, come on back up.

25           MR. UNDERWOOD: While Dave's coming up, I just

1 want to make an observation.

2           What we're seeing here is that our regional  
3 airports are part of the air traffic system. They're kind  
4 of like our state highway system, our county and rural  
5 roads, compared to the interstates.

6           And to me, to stop funding these contract  
7 towers, is like saying you only need seatbelts when you  
8 are on the interstate. I just want to make -- thank you.

9           MR. HOUGHTON: Can we use that one, too?

10          MR. UNDERWOOD: Yes, sir, you can.

11          MR. HOUGHTON: In the book of Underwood  
12 sayings. First of all, I want to thank a couple of folks  
13 for getting this thing up and running very quickly.  
14 Number one is Governor Perry for bringing this to our  
15 attention. Very insightful.

16           Number two is that we are a multimodal agency.

17          And I don't know if people have recognized that over the  
18 years. They think it is just all about roads, Dave,  
19 right? But in fact, as Phil has talked about, and we  
20 remind people, it is about ports, it's about intracoastal  
21 waterways, it's about roads. It is a multimodal agency.

22           And with that said, it's a safety issue. It is  
23 for an environment to let people fly freely and maintain  
24 the momentum we have in Texas, in growing our economy.  
25 And these local communities are counting on these airports

1 you know, for our continued economic success.

2 And lastly and not leastly, I would like to  
3 thank you for hustling to get this thing done. You have a  
4 tremendous following out there, very obvious. And for  
5 Phil and the staff for putting this all together so  
6 quickly. This is very important. I think it's very  
7 important. We will take a vote here in a minute.

8 And with that, Phil and Dave, I will let you  
9 wrap it up before we take the vote. Is there anything  
10 else?

11 MR. FULTON: Could I mention very quickly, I  
12 think it's important for you to know that if you approve  
13 this funding, there will be no gap in service. The towers  
14 will be open without interruption.

15 And the other thing I would like to say is,  
16 since I arrived here 21 years ago, I've had outstanding  
17 support by every member who has ever served on this  
18 commission, and I thank you for that.

19 MR. HOUGHTON: Okay. With that, anything else?  
20 Commissioner Moseley?

21 MR. MOSELEY: Chairman, it's my understanding  
22 that this is a 90-day stopgap measure. Is that correct?

23 MR. HOUGHTON: Correct.

24 MR. MOSELEY: And so it seems like in the  
25 spirit of Governor Perry's letter to ask for us to step up

1 and help out, that we also owe it to the state to, I  
2 guess, have this on our agenda for the next 90 days so we  
3 can receive reports back from Mr. Fulton and from Phil on  
4 how we are proceeding.

5 MR. HOUGHTON: Good idea.

6 MR. MOSELEY: Because I wasn't clear, and it  
7 doesn't sound like FAA had a lot of time to make what  
8 appeared to be kind of arbitrary decisions on which  
9 control towers to shut down and which ones to leave open.

10 The witnesses today were wonderful. I  
11 appreciate the information that I gathered. But it was  
12 very clear that some federal functions would have been  
13 disrupted by FAA's decision. The defense of our borders,  
14 of our refinery complex was one of those, the Customs  
15 operation, DEA operations, and even military operations  
16 would have been impacted by FAA's own decision.

17 So it seems like, Mr. Fulton, over the next  
18 weeks, it would really be wonderful if you could team up  
19 with all of our friends here today and coordinate with the  
20 Texas Aviation Association to really dive into those FAA  
21 guidelines, so we can understand and push them on the  
22 criteria that they are using, so that 90 days from today  
23 we have a clear understanding of how they wish to proceed.

24 I think also it would be good for Coby Chase to  
25 work on an action plan on how to engage our congressional

1 delegation, Chairman. We have some wonderful friends in  
2 Congress; of course, Blake Farenthold, Roger Williams and  
3 Eddie Bernice Johnson serving on House Transportation  
4 Committee. I know they would want to give us their best  
5 advice on how to understand the FAA guidelines.

6 We've got friends like Congressman John  
7 Culbertson and Kevin Brady and Mike McCaul that I think  
8 also would be very fascinated in pitching in and giving us  
9 some thoughts on how to understand FAA. And then I assume  
10 Senator Cornyn and Senator Cruz would also want to be  
11 engaged in this, Chairman.

12 But as we take action today, there's no doubt  
13 it is the right thing to do. But we have got 90 days now  
14 to really understand more clearly what the next step looks  
15 like. And so, Mr. Fulton, I would ask you and Coby and  
16 Phil to -- at our next regularly posted meeting, I think  
17 Chairman, if we could get a recommendation on some of the  
18 next steps, that would be useful.

19 MR. HOUGHTON: That would be great.

20 MR. FULTON: I would be glad to do that,  
21 Commissioner Moseley.

22 MR. HOUGHTON: Let me ask one more point of  
23 clarification. Is the motion of or the agenda item for 13  
24 or 14? Are we adding Tyler?

25 MR. FULTON: Texarkana.

1 MR. HOUGHTON: Texarkana.

2 MR. FULTON: We are; 13-1/2.

3 MR. HOUGHTON: 13-1/2.

4 MR. FULTON: 13.55.

5 MR. HOUGHTON: 13.55, to be exact. Okay. That  
6 is part of the agenda item.

7 MR. FULTON: Yes, sir.

8 MR. HOUGHTON: Okay. With that said,  
9 Commissioner Underwood, do you have a motion?

10 MR. UNDERWOOD: Yes. So moved.

11 MR. MOSELEY: Chairman, I would be happy to  
12 second that. And I'd also add it would be wonderful if  
13 Commissioner Underwood would agree to be our liaison to  
14 this working group as we go forward.

15 MR. HOUGHTON: I think that's without saying,  
16 he would do that; without saying.

17 Okay. There's a motion and a second. All in  
18 favor?

19 (Chorus of ayes.)

20 MR. HOUGHTON: Thank you.

21 Anything else, Phil?

22 MR. WILSON: No, Mr. Chairman. We are  
23 concluded. I'm handing the agenda item back to you, sir.

24 MR. HOUGHTON: All right. This completes all  
25 of the items on the agenda. I now look for the most

1 privileged motion.

2 MR. UNDERWOOD: So moved.

3 MR. MOSELEY: Second.

4 MR. HOUGHTON: All in favor -- seconded.

5 All in favor?

6 (Chorus of ayes.)

7 MR. HOUGHTON: We are adjourned.

8 (Whereupon, at 10:41 p.m., the meeting was  
9 adjourned.)

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MEETING OF: Texas Transportation Commission

LOCATION: Austin, Texas

DATE: April 4, 2013

I do hereby certify that the foregoing pages, numbers 1 through 82, inclusive, are the true, accurate, and complete transcript prepared from the verbal recording made by electronic recording by Joseph M. Schafer before the Texas Department of Transportation.

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(Transcriber) 04/09/2013  
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