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**PORT OF MOSES LAKE  
SPECIAL MEETING AND PUBLIC HEARING - FINAL**

**RE: USE OF AIRFIELD FOR TESTING BY USAF**

**CONDUCTED ON  
FRIDAY, JUNE 1, 2018  
10:03 A.M.**

**BEFORE  
THE PORT OF MOSES LAKE COMMISSION**

**GRANT COUNTY INTERNATIONAL AIRPORT  
TERMINAL BUILDING CONFERENCE ROOM  
7810 ANDREWS STREET NORTHEAST, SUITE 200  
MOSES LAKE, WASHINGTON 98837**



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**BEFORE**  
**THE PORT OF MOSES LAKE COMMISSION**

**MR. MUELLER:** Thank you, gentlemen, for convening this meeting. I appreciate all of you who have come to attend as well. We moved it down to the fishbowl, as we like to call it down here, the former sterile area, to make sure that everybody gets a chance to sit in and listen and then, also, as the Commissioner stated, when it's time for comment, that you will get your turn up here at this microphone as well.

So you have seen the information that we have sent so far to date regarding the proposed aeronautical event. We kindly have folks from the Test Squadron on the phone as well, and they're here to keep me honest and also to provide any information if I cannot give you that level of technical information (indiscernible).

So the proposed event, we had the -- a little bit of history, we had the Air Force come to us in February and tell us that they had a very specific test that needed to

1 occur in order to test one of the systems required to  
2 certify the aircraft release it to the United States Air  
3 Force. This is a test that involves many moving parts, not  
4 only the aircraft, but moving equipment on the runway and  
5 taxiway surfaces as well as some fixed equipment.

6 So I know that we have, over the last months, have  
7 been talking to some of you about that. We tried to reach  
8 out to people who were affected. And some of you have  
9 received visits or phone calls or emails. And again, I  
10 thank you for being here today to attend and hear more.

11 Just to keep me on track here, the issue that we  
12 have today has to do with the Port's authority to be able to  
13 make temporary closures for a minimum amount of time to the  
14 extent possible to allow a test to occur in the most  
15 efficient and shortest manner possible.

16 And so we have had conversations with the FAA  
17 Airport District Office. I'm going to take a moment here.  
18 There are lots of different branches of the FAA. We are --  
19 we, as an airport, talked to the Airport District Office.  
20 That is not to be confused with the FAA that does air  
21 traffic control, who will be providing -- provides support  
22 every day for us and would be doing the same job that  
23 they're doing otherwise out here on the field.

24 So I'm going to try to say ADO, Airport District  
25 Office, so that I'm clear about who I'm talking about when I

1 say -- if I just say FAA, it's a little bit too vague.

2           So once we had conversations with most of you and  
3 with the FAA, we had multiple meetings where they requested  
4 more information from us. Boeing and the Air Force were  
5 kind enough to provide input as well as culminated in a  
6 meeting here on May 24th with the FAA that included about 45  
7 people between those who were there in person and on the  
8 phone to discuss the nature of this test. The FAA asked us  
9 to explain what we had done to prepare for the test, what we  
10 had done. But keep in mind that we wanted to keep our  
11 airport open as much as possible for the users but still  
12 manage to provide the Air Force with what they needed so  
13 that they could move along.

14           As you know, if you've been listening to the news,  
15 the KC-46 program still has some stuff to go. And the Air  
16 Force was hoping to have it all ready. So by us allowing  
17 this test to happen here, then that moves that ball forward.  
18 I know a lot of you in this room are veterans just like I  
19 am. So getting that piece of equipment out on the front  
20 lines is important to move for that respect as well.

21           So on the meeting on May 24th where we had  
22 conversations with the FAA, we explained our plan of what we  
23 were going to be doing. Boeing and the Air Force were both  
24 there explaining what their physical requirements were. And  
25 so we were able to tighten it down to two days on the

1 weekend, two periods each day -- that's the 16th and the  
2 17th, Saturday and Sunday -- with a two-hour test period in  
3 the morning, which right now is looking like 9:00 a.m. to  
4 11:00 a.m., and then a one-hour break, and then another test  
5 from noon to 3:00 p.m. And that would be, again, for both  
6 days and Saturdays and Sundays.

7 We're doing this test in such a way that there is  
8 plenty of daylight on the front end and as well on the back  
9 end. And the Air Force and Boeing have worked together to  
10 make those test parameters as tight as possible and still be  
11 able to reach the goals that we need to.

12 We, of course, had a conversation with them about  
13 seeing if we could intersperse it with regular activity.  
14 There were two issues with that. One is that it would leave  
15 them in the airspace for nearly a week. And that would  
16 create some interesting issues because their flight patterns  
17 that they need to fly to do this test are not our normal  
18 rectangular patterns over the runways. They actually go  
19 back and forth across most of the runways.

20 So there's alignment issues. So it's an altitude  
21 where a lot of the traffic would be occurring, but they're  
22 actually running almost perpendicular to almost all runway  
23 traffic that we have up here.

24 So and then, again, of course with some of the  
25 equipment needing to be mobile, on the ground, using the

1 existing runways and taxiways -- so you have aircraft  
2 running perpendicular to the runways -- you've got vehicles  
3 on the ground, again, all coordinated with control tower.  
4 But they are going to be using multiple, multiple pieces of  
5 pavement throughout the test.

6           So with this aircraft up above and the vehicles  
7 down below, it made the most sense to us as to find a way to  
8 do it in a very short period. This also saves them -- the  
9 equipment that they're testing is very sensitive and  
10 requires recalibration if they have to stop and restart the  
11 test. I know we've got some flight test people in here, so  
12 I think you know what I'm talking about there.

13           So if they're able to do one contiguous test, then  
14 there is one calibration on the front end instead of having  
15 to back off and return and back off and return and possibly  
16 have to make adjustment throughout that. Again, it prolongs  
17 the test.

18           So that is the discussion that we had -- all of us  
19 together had with the FAA. We're having this meeting here  
20 so that -- because -- to talk to all the commissioners.  
21 This does need to be a public meeting. And so that is why  
22 we are here today.

23           And then also it is our goal as staff that the  
24 Commission will make a resolution on behalf of the testing  
25 project. They, of course, wanted to hear what you had to

1 say, so you'll have a chance to speak as well.

2 I'd be happy to answer any more questions from the  
3 Commission.

4 **PRESIDENT JONES:** I've had the (inaudible). I'm  
5 here mostly to listen today, so --

6 **MR. MUELLER:** Yes, sir.

7 **PRESIDENT JONES:** -- if you want to keep going and  
8 just maybe the people on the phone or whatever?

9 **MR. MUELLER:** Absolutely. I can -- I will not  
10 introduce them by name because I will forget. But we do  
11 have -- but I also -- and sorry, guys. And I also heard  
12 somebody else come on. But the individuals that we have are  
13 -- the individuals that we have are from -- and gentlemen,  
14 I've got you closer to me on the microphone now so I can  
15 make sure -- it is the Test Squadron from Eglin Air Force  
16 Base, correct?

17 **MR. DEYERLE:** That's correct, the 46th Test  
18 Squadron at Eglin Air Force Base. There are other test  
19 squadrons here, but we're the 46th.

20 **MR. MUELLER:** 46th Test Squadron. Excellent.  
21 Thank you.

22 And were there representatives from other -- I  
23 understood that there was a representative from Boeing as  
24 well?

25 **(No audible response.)**

1           **PRESIDENT JONES:** Hearing none.

2           **MR. MUELLER:** Hearing none.

3           All right. Is there anybody else that would like  
4 to speak up so that we can address any of your questions and  
5 know that you're there as well?

6           **(No audible response.)**

7           **MR. MUELLER:** So it's all Test Squadron guys. All  
8 right. Well, thank you very much.

9           **PRESIDENT JONES:** All right. Thank you.

10          **MR. MUELLER:** Thank you.

11          **PRESIDENT JONES:** I like to make sure we get  
12 everything covered.

13          **MALE SPEAKER:** Right.

14          **PRESIDENT JONES:** This is not a normal thing for  
15 us, so be patient.

16          **MR. MUELLER:** It's a -- take over it (inaudible).

17          **MALE SPEAKER:** Yeah.

18          **MALE SPEAKER:** Yep.

19          **MR. MUELLER:** And I will let Mr. Frank Chmelik  
20 talk about some of the stuff that we face going forward.

21          **MR. CHMELIK:** Good morning, Commissioners. As you  
22 know, my name is Frank Chmelik. I am a lawyer in  
23 Bellingham. I represent ports throughout the state, and so  
24 I've been working with your staff on this project.

25               As I -- we've invited as part of our outreach the



1 FAA, U.S. Air Force, and Boeing to participate either in  
2 person or by phone. If I'm understanding correctly, unless  
3 anyone speaks up, it's just folks from the U.S. Air Force.

4 **PRESIDENT JONES:** That's all we've heard so far.  
5 Anybody else on the phone?

6 **(No audible response.)**

7 **PRESIDENT JONES:** Go ahead.

8 **MR. CHMELIK:** Okay. We also noticed this meeting,  
9 published and noticed in the Columbia Valley Herald on May  
10 15th, 2018. We sent a copy of the invitation to the  
11 meeting, the notice to the meeting to each Port tenant and  
12 user at the airport.

13 Sir?

14 **PRESIDENT JONES:** Columbia Basin?

15 **MR. CHMELIK:** What did I say? Valley. Columbia  
16 Basin Herald. Thank you.

17 **PRESIDENT JONES:** We're just getting the record  
18 straight.

19 **MR. CHMELIK:** Thank you for that.

20 And we'll put a copy of the notice that we  
21 published in the record.

22 **PRESIDENT JONES:** Thank you.

23 **MR. CHMELIK:** And we also sent that notice to the  
24 FAA, U.S. Air Force, and Boeing.

25 Then after that, Port staff engaged in outreach.

1 We had personal outreach, contact to tenants, both of the  
2 FPOs here. That entailed, for example, your executive  
3 director visiting the FPO headquarters in Kansas City to  
4 personally communicate with them. We had conversations with  
5 the U.S. Air Force. We had email, telephone, and personal  
6 visits to the FAA regional office in Seattle. Mr. Mueller  
7 did that.

8 We spoke on May 24th in Seattle. There was a  
9 large telephone conference involving, I guess, 45 people.  
10 We'll put that in the record, the evidence of the -- or at  
11 least everybody who attended.

12 During that, Boeing made a slideshow presentation  
13 on PowerPoint of exactly how the tests would work. And at  
14 that point, the headquarters of FAA said that they were  
15 supportive of the test.

16 The other thing, since it's a modern age, is the  
17 executive director has a Facebook posting on this, so he  
18 provided that.

19 And Jeff, for the record, could you say how many  
20 postings you got and what it looks like?

21 **MR. BISHOP:** Yes. For the record, I just checked  
22 it, and I have 4,300 (inaudible).

23 **PRESIDENT JONES:** Really? Cool, I guess. Is that  
24 a good number?

25 **MR. BISHOP:** It's the most I've ever had.

1           **MR. CHMELIK:** So then we did receive some  
2 communications. We have the April 3rd, 2018, letter from  
3 the U.S. Air Force. We'll put that into the record.

4           And I want to emphasize that this test is flown by  
5 U.S. Air Force pilots on U.S. Air Force equipment.

6           We had other discussions with the U.S. Air Force,  
7 who indicated that they had --

8           **MR. DEYERLE:** Hi. This is Craig Deyerle from  
9 Eglin, and I apologize for interrupting.

10          **MR. CHMELIK:** No, go ahead.

11          **MR. DEYERLE:** The aircraft will actually be owned  
12 by Boeing (inaudible).

13          **MR. CHMELIK:** Ah. And flown by Air Force pilots?

14          **MR. DEYERLE:** It'll be a combination of Boeing and  
15 Air Force flight group.

16          **MR. CHMELIK:** Okay.

17          **MR. DEYERLE:** Thank you.

18          **MR. CHMELIK:** And we had discussions with Boeing  
19 and with the U.S. Air Force about, frankly, why Grant County  
20 International Airport, why it couldn't be someplace else.  
21 And they indicated that this airport was uniquely suited to  
22 their requirements: the lack of trees around the airport,  
23 the clear air. So they can chime in if they'd like.

24                 The Port staff looked at minimizing the impact of  
25 this test. Originally, the Air Force thought a weekday

1 would be a good time. Mr. Bishop told them it can't happen  
2 on a weekday. We need to minimize the impact of an  
3 aeronautical event. So the dates that were selected was a  
4 weekend in June with low usage and long days.

5 As Mr. Mueller said, we talked about temporary  
6 closure of the airport versus just having Air Force be here  
7 for a period of time doing the test in the airspace. And  
8 then staff's recommendations, it's less disruptive.

9 We have -- staff has prepared a staff report that  
10 contains an operational plan and procedures that were put  
11 into the record. So staff's worked hard on developing  
12 exactly how this would work. And part of that is to  
13 recognize that the -- other than the taxiways and runways,  
14 the users of the airport will have access to the airport for  
15 maintenance, or for whatever. And it's -- according with  
16 other users, it may have aircraft coming in and out of the  
17 airport for shipment of goods. So that's why the closures  
18 are limited and then there's a break in between.

19 And then the public is invited to observe this  
20 test. It may be of interest to the public to watch these  
21 aircraft that come in, what I would describe as low and  
22 slow. And the public would be able to watch it.

23 The FAA has been very supportive and very helpful  
24 -- asking questions, seeking solutions, and doing their job  
25 of making sure that we have considered all of the federally

1 mandated regulations and Grant Assurances.

2           So we invited them here today. As late as  
3 yesterday, we received another letter from the FAA dated May  
4 31st, 2018, on top of the FAA's previous letters. We'll put  
5 those into the record for consideration by the Commission.  
6 And I believe that's all the documents in the record.

7           Rich, is -- did I get everything?

8           **MR. MUELLER:** That is correct.

9           **MR. CHMELIK:** Okay. So Grant County International  
10 Airport has received grants from the federal government  
11 administered by the Federal Aviation Administration. These  
12 are airport improvement project grants to improve various  
13 aspects of the infrastructure at this airport. And with  
14 those grants come, under federal law, what are called  
15 sponsored Grant Assurances -- the Port being the sponsor,  
16 the grant being the money. The assurances are what you  
17 promise to do if you accept FAA funding. There are  
18 currently 39 separate Grant Assurances that exist. They're  
19 wide-ranging. But of consideration for you today is Grant  
20 Assurances 19, 22, and 27.

21           Grant Assurance 19 is called Operations and  
22 Maintenance.

23           Grant Assurance 22 is Economic Nondiscrimination.  
24 That is a Grant Assurance that essentially precludes you  
25 from discriminating economically against any user of the

1 airport. So you can't give a better deal to one fueler over  
2 another fueler, or something like that.

3 And then Grant Assurance 27, Use by Government  
4 Aircraft, makes clear that the Air Force is to be treated as  
5 a user on an equal footing as all other users of the  
6 airport.

7 So I'll start back. Grant Assurance 27, as I  
8 said, is U.S. Air Force or government aircraft are given use  
9 of the airport in common with all other users.

10 Grant Assurance 22, the important part, makes the  
11 airport available as an airport for public use on reasonable  
12 terms and without unjust discrimination to all types of  
13 classes of users. So you can't have an unjust  
14 discrimination. It doesn't say -- well, I'll just say this  
15 -- unjust discrimination.

16 Grant Assurance number 19 is the Grant Assurance  
17 that deals with operation of the airport in a safe and  
18 serviceable condition. And the FAA has promulgated a  
19 compliance manual to guide airport sponsors in their  
20 obligations under the Grant Assurances. And that is a  
21 compliance manual. It's called the FAA Compliance Manual.  
22 It's under an FAA order. And importantly, they address  
23 temporary closures of an airport for special events. This  
24 is opposed to a permanent closure or a permanent preclusion  
25 of a certain activity.

1 So for example, you know, it's possible for an  
2 airport to say you can't do this type of aeronautical  
3 activity. That's a whole different thing. So this is just  
4 a temporary closure.

5 And the FAA has addressed that in their airport  
6 compliance manual, and they recognize that there's two kinds  
7 of events, Commissioners. The first kind of special event  
8 is called a nonaeronautical event. And to give some  
9 examples that you may want to consider in the future, sports  
10 car races, county fairs, parades, car testing, model  
11 airplane events. In any event, if you want to close the --  
12 temporarily close the airport for nonaeronautical events,  
13 you need to first get the FAA's permission. And there is a  
14 federal law on that, and they have a compliance requirement  
15 FAR.

16 For aeronautical events, according to the manual  
17 in paragraph 7.21, there is no requirement for preapproval.  
18 However, that throws to you then, the determination  
19 commissioners, to make the determination of whether or not  
20 you're in compliance with your Grant Assurances.

21 And I will just briefly read this part. There  
22 will be occasions when airports may be closed for brief  
23 periods for aeronautical events. Examples include air show  
24 designed to promote a particular segment of aviation or  
25 annual fly-ins and aviation conventions. In such cases,

1 airport management should limit the period the airport will  
2 be closed to the minimum time consistent with the activity.  
3 Such closing should be well-publicized in advance, including  
4 issuing notice, to minimize any inconvenience to the flying  
5 public.

6 Okay. And so that really is your decision here  
7 today. First of all, is this an aeronautical event? You  
8 need to decide that. It seems -- you heard the definitions.  
9 It seems rather obvious.

10 Does this temporary closure unjustly discriminate  
11 in favor of the U.S. Air Force as opposed to other users?  
12 So is it a reasonable term? Is it reasonable to what you  
13 do?

14 And then finally, is the plan submitted by Port  
15 staff and agreed to by the airport, the procedures, are  
16 those -- limit the closure to the minimum time consistent  
17 with the activity?

18 And then finally, of course, will you publish in  
19 advance?

20 So that's the structure. And while the air -- as  
21 I understand it, this is the minimal time that we do close,  
22 temporarily close the airport to accomplish this  
23 aeronautical event.

24 If somebody from the Air Force can confirm that?  
25 Is that correct?



1           **MR. DEYERLE:** Yes.

2           **MR. CHMELIK:** Okay. So Commissioners, that is the  
3 -- the bulk of the presentation. I think the executive  
4 director wants to make some comments. And, oh, yeah, let me  
5 just say a couple other things.

6           As you know, Commissioners, there is a distinction  
7 between airspace and the airport. The air traffic control  
8 system controls the airspace -- air traffic controllers.  
9 And so think of it in terms of a parachute drop. If you  
10 bring -- a parachute is here, they control the airspace and  
11 the airport is temporarily closed until all the parachuters  
12 are on the ground, safely accounted for.

13           Likewise, if the Air Force -- if we didn't  
14 temporarily -- if you elected not to temporarily close the  
15 airport, that would not stop the Air Force, in some senses,  
16 from using the airspace. And the air traffic controllers, I  
17 presume, would tell private pilots to steer clear of the KC-  
18 46, the tankers, as they flew by. So there is a distinction  
19 there.

20           And finally, commissioners, you ought to -- I  
21 wouldn't be a lawyer if I didn't tell you not to consider --  
22 make sure that you consider the liability issues. So if  
23 somebody says, for example, why don't you leave one runway  
24 open and do something different and allow this, you have to  
25 consider that from a liability perspective as well as the

1 minimal amount required to accomplish the aeronautical  
2 event.

3 So I think, unless my colleagues, Mr. Mueller, Mr.  
4 Bishop may have something else, that's the staff  
5 presentation. And the staffing -- the staff report you  
6 have. And I'm happy to answer any questions about this  
7 structure here.

8 **PRESIDENT JONES:** Before I open this up to the  
9 public, I think the Air Force is the only one on the phone  
10 right now; is that correct? And if so, do you have any  
11 comments that you would like to make at this time?

12 **MR. DEYERLE:** Sir, tAir Force has no comment at  
13 this time. And if there are any questions directed at us,  
14 we'll be pleased to answer.

15 **PRESIDENT JONES:** Okay. Good.

16 So I think at this time, I will open the floor to  
17 the public. We as commissioners are here to listen so we  
18 can make an intelligent decision.

19 Would you please use the microphone over there so  
20 that people can hear and we can get it recorded?

21 So with that, we're going to start on this side of  
22 the room in the front. Any comments from you,  
23 Representative Dent?

24 I'm going to work my way kind of that way, and  
25 then I'll go back over here. So I want to make sure

1 everybody has an opportunity to make comments, ask  
2 questions. And we want to make sure that we get those  
3 answered for you.

4 **REPRESENTATIVE DENT:** Well, thank you again, Kent.

5 For the record, 13th District State Representative  
6 Tom Dent. That's T-o-m, Dent, delta-echo-November-tango.

7 I think this is a great opportunity for our  
8 Airport to be able to do these things. I wanted to offer  
9 our -- this is an incredible facility. And to be able to  
10 use this facility for things of this nature I think is a  
11 great opportunity, and we should capitalize on if we can do  
12 it and not create issues for other aspects of aviation.

13 So my only real concern that I have at the moment,  
14 because I still haven't heard all the information, but I'm  
15 concerned about closing all of the delta airspace and on  
16 putting other aircraft basically out of use. And I'm  
17 referring to the agriculture community. You know, this is  
18 the time that they're out there. Our agriculture community  
19 in this county is huge. This is a huge economic driving  
20 force, and I don't want to see those aircraft not be able to  
21 work.

22 So having kind of a lifetime flying those kind of  
23 airplanes, I get it. I know what it's like to be behind. I  
24 know what it's like to have these tests and not able to do  
25 the work when the weather will let you do the work.

1 So you know, to be able to work with the control  
2 tower to keep the aircraft in the air works for me. And I  
3 think if we could maybe find a way that we can do that, I  
4 think it's important that we do that.

5 On the other hand, I mean, I understand that we  
6 have to close a portion of it. But we do have an air  
7 traffic control tower. And I had some opportunity in the  
8 last year to work with them on the TRACON issue. I have to  
9 say we have some of the best controllers that I've ever  
10 worked with, you know, in the United States. You know, I  
11 have a lifetime career flying airplanes. These guys are  
12 good. They get it. I know we can do this and work it out  
13 and work together and be safe.

14 So that's my only real concern. So with that,  
15 thank you.

16 **PRESIDENT JONES:** Mr. Mueller, can you address  
17 that positively or negatively or --

18 **MR. MUELLER:** I certainly can. I appreciate  
19 Representative Dent being here and -- and speaking up on  
20 this opportunity.

21 To be more clear about that, the airport is  
22 closed. The FAA air traffic control tower will be  
23 conducting regular operations. So just as they would  
24 separate an aircraft (inaudible) or another aircraft during  
25 normal airport activity, they will also be providing

1 separation from the KC-46 during the test as well. This is  
2 an airport closure. This is not an airspace closure.

3 So just -- and I agree with you, sir. We've got  
4 some of the best controllers in the industry here at our  
5 airport. And so I trust them that they will provide  
6 separation services and allow people to go about their  
7 business throughout the airspace. And we, of course, will  
8 open the air -- open the runway as soon as we possibly can  
9 before, during, and after the test.

10 **MALE SPEAKER:** And emergency (inaudible).

11 And yes, thank you. I appreciate that.

12 The other thing that I failed to mentioned is  
13 that, if there is an emergency, then that certainly would  
14 stop the test, or at least delay the test until the aircraft  
15 is down safely, whether that aircraft has an emergency  
16 itself or if the aircraft is on an emergency mission. Life  
17 Flight, for example, or if the Forest Service tanker base  
18 had to kick in because something caught on fire, those would  
19 all fall under that umbrella as well.

20 Thank you.

21 **PRESIDENT JONES:** Does that answer your question?

22 **MR. DENT:** Yes, sir.

23 **PRESIDENT JONES:** Sir.

24 **MR. MEISE:** Fred Meise, F-r-e-d M-e-i-s-e. I own  
25 Northwest Ag, an aerial application business. Got four

1 spray planes. We fly through your airspace, work with the  
2 tower. They're awesome to work with. My concern is I think  
3 our next go-around, although airspace is open, I don't know  
4 what kind of relationship you guys have worked out with  
5 them, but we have corridors we fly through. They know -- I  
6 take off my runway. They know exactly where we're going.

7 My company takes work from an \$81 million  
8 investment for potatoes. We've got to fly them. We have a  
9 day to fly them. We get them done. We can't put them off  
10 due to this. That's my concern, is -- is we've got to take  
11 care of the farmer. I think they pay a lot of taxes to you  
12 guys. I know they do.

13 The other question is: There's 300 -- within 330  
14 miles of this place, there's three major Air Force bases.  
15 The last time I checked, Mountain Home Air Force Base, there  
16 was no trees around it. McChord Air Force Base and  
17 Fairchild Air Base, let them close their airspace down for a  
18 while to practice. (Indiscernible).

19 And how much money are we making from the Air  
20 Force?

21 **MR. DEYERLE:** Craig Deyerle. Would you like me to  
22 address that?

23 **MR. MEISE:** Please.

24 **MR. DEYERLE:** Okay. One, the (indiscernible)  
25 airspace is not closed. We don't plan to close it. We

1 never asked for it to be closed. We asked for exclusive use  
2 of the runways at the airfield at Grant County because we'll  
3 have vehicles on those runways and taxiways traveling at 50  
4 miles an hour during our test runs. There's a test run  
5 every two and a half minutes per test period.

6 The test aircraft will spend two-thirds of its  
7 time at a thousand feet APO, which is pattern altitude, and  
8 a third of its time at 1500 APO. So the potential for an  
9 issue of takeoff and landing aircraft running a Cessna 172,  
10 for instance, into a KC-46 is not a good idea.

11 The aircraft is very light on fuel by design for  
12 this test. The reason that we're applying at Grant County  
13 and nowhere else is due to the proximity of Grant County to  
14 Boeing Field for these aircraft that are flying these  
15 (inaudible). That lets us fly out here, do the test flight,  
16 land, take on fuel, finish the test, and fly home. Boeing  
17 has a test facility at Grant County. They don't have a test  
18 facility at the other airfields.

19 The potential for the aircraft to break at a  
20 different airfield requiring a maintenance need to go, spare  
21 parts to go is a huge expense to the taxpayer we are trying  
22 to avoid. And the aircraft remains available to the other  
23 KC-46 test programs, as you're aware, Boeing is behind, if  
24 we could fly at Grant County and get the aircraft back to  
25 Seattle (inaudible). And so that's the reason.

1 In addition, Grant County has no trees. The  
2 runway layout and the angles of the runway next to each  
3 other, the fact that it's a former SAC base, the runways are  
4 very long, very wide. The taxiways are very wide. The FAA  
5 control tower can plan the airspace. Those are all factors  
6 that went into this decision. And the fact of its proximity  
7 and Boeing's familiarity with flying and flight test  
8 recently at Grant County and their test facility there is  
9 what drove the decision to take it versus anywhere else.

10 **MR. MEISE:** My other concern is, last year, this  
11 happened also with Boeing with their Air Force -- or air  
12 show testing. The airspace was shut down. It's happening  
13 again now. I think it's setting a precedent that it's going  
14 to keep happening probably more often. And it's affecting  
15 the local aviators, and it's -- and I -- I don't think it  
16 will change. I think it will just keep getting worse and  
17 move to close more. I may be -- I may be wrong, but it's  
18 not good for our industry. We have timings, investments in  
19 our industry. We can't put them off for a day. And I'll  
20 pass -- you know, if a farmer calls me, I'll just pass the  
21 number on to you guys. But we just -- it's time to the  
22 investor.

23 **PRESIDENT JONES:** That'll be fine. Thank you,  
24 Fred.

25 **COMMISSIONER JACKSON:** Thanks, Fred.



1           **PRESIDENT JONES:** Sir? No?

2           Down the aisle, second row. No?

3           **MR. ZINDA:** Hello. For the record, I'm Steve  
4 Zinda with Mitsubishi Aircraft Company, sierra-tango-echo-  
5 victor-echo zoo-India-November-delta-alpha, just to keep in  
6 flow with everybody else.

7           A couple of questions for you, for the Commission,  
8 is consideration of ground operations with the airport being  
9 closed. Will there be any opportunity to do some ground  
10 operations on the pad in front of our operating area?

11           And then the second question is: What are the  
12 intentions for runway and taxiway cleanups since there's  
13 going to be some ground vehicles moving for this activity?  
14 And how quickly will the airfield be re-moving from a safety  
15 aspect so we don't incur any foreign object?

16           **PRESIDENT JONES:** Mr. Mueller, can you address  
17 those, please?

18           **MR. MUELLER:** Certainly. Thank you.

19           To the first question, it will be the taxiways and  
20 runways proper that will be being used for the vehicle  
21 testing. So the apron, the south apron here where all the  
22 buildings are aligned, that will be available for use.

23           And your second question -- I agree FOD control is  
24 paramount. We do have our fire station. Aside from  
25 providing the normal care they do if there is an aircraft

1 incident or accident, they also do our runway inspections  
2 regularly. So they will be out doing FOD controls as well.  
3 And I agree. We need to make sure that in those breaks that  
4 nothing is been left.

5 I know the Air Force is fantastic about rock  
6 checks and things like that. If anybody's been in the Air  
7 Force, normally they bring in air -- any vehicle on the  
8 field, the first thing they do is go around and check all  
9 the tires and make sure they're not picking anything up.

10 But they will be -- they have assured us, also,  
11 that during the testings -- well, obviously, when they're in  
12 the middle of it, you heard every two and a half minutes  
13 they're going to be on the move again. But they will be  
14 policing themselves and their equipment and what they might  
15 be tracking around as well. And the Air Force has a very  
16 good record for FOD control. So we are expecting them to be  
17 responsible in that respect.

18 **PRESIDENT JONES:** Working my way back, Matt.

19 **MATT:** We're good.

20 **PRESIDENT JONES:** Sir?

21 **MALE SPEAKER:** No, thank you.

22 **PRESIDENT JONES:** No?

23 **MR. TOOMBS:** I've been blessed with an outside  
24 voice, from what all my teachers say, so I won't stand too  
25 close to the microphone.

1 My name is Eric Toombs. I'm the current airtanker  
2 base manager for the Forest Service contact here on the  
3 property. My only question is -- to the testing group is:  
4 In case of an emergency, Good Lord willing, it dumps rain  
5 for two days just before this test goes on. But what is the  
6 time frame of being able to clear the runway for emergency  
7 traffic in case I need to bring a tanker in? And that is a  
8 question from my regional aviation staff.

9 **MR. DEYERLE:** The vehicles on -- that'll be  
10 traveling on the runway are two-way radio controls to the  
11 tower. That'll be monitored full time. So if the tower  
12 tells us to clear, we can be cleared in 50 seconds to 2  
13 minutes. And the nearest exit that they drive down to would  
14 get off.

15 **MR. TOOMBS:** Excellent. Thank you, sir.

16 **MR. MUELLER:** You want to spell your last name?

17 **MR. TOOMBS:** Oh, last name Toombs, T-o-o-m-b-s.  
18 Thank you.

19 **PRESIDENT JONES:** You bet. Thank you.

20 Staying back there in that row? No?

21 I'll stay back in the back. Julianne, Kim, staff,  
22 staff. Whose over -- staff. Mr. Eckridge (phonetic)?

23 **MR. ECKRIDGE:** Nothing.

24 **PRESIDENT JONES:** Nothing? No.

25 Mr. Krueger (phonetic)? I think I've walked

1 around the room.

2 Other questions or comments? I guess he's going  
3 the other direction.

4 Mr. Bishop, do you have some final comments before  
5 we close the public hearing? I'll give you a chance to make  
6 some and see if anybody -- you can create any (inaudible).

7 **MR. BISHOP:** Yes, sir. I just want to, for the  
8 record, indicate that we did receive a letter of support  
9 today from Million Air, one of the fixed-space operators  
10 here at the airport. And I'm submitting that for the  
11 record, also.

12 One other thing I want to address, one, the public  
13 comments in regard to use of airspace. Again, the Port of  
14 Moses Lake has no jurisdiction over use of the airspace.  
15 Again, just for the record, the action that you are  
16 contemplating today is directly related to the use of  
17 runways, not the airspace. And all users of the airport  
18 have access to the airport. That would include big  
19 corporations, small corporations, small individual users,  
20 and here in our home operations.

21 If air traffic control choose to reroute traffic  
22 to accommodate traffic, we have no role in that other than  
23 we can request meetings with air traffic control to advocate  
24 for a particular user. We stand ready, willing, and able to  
25 do that at any user's request. My staff is more than

1 willing to sit down and coordinate with air traffic control  
2 and talk about and look at any particular things that can be  
3 done to facilitate and allow the airspace to be used by all  
4 the users.

5           Again, I want to reiterate we don't have any legal  
6 authority over what air traffic control does with the  
7 airspace and, again, reiterate for the record today your  
8 decision is regarding the use of the ground at the airport  
9 and not the air.

10           **PRESIDENT JONES:** Have we had any -- has anybody  
11 complained about (inaudible) I guess. Any complaints about  
12 the tower and their job out there controlling the airspace?

13           **MR. BISHOP:** I know of no complaints about  
14 activities of the air traffic control.

15           **MR. MUELLER:** Generally speaking, no. I'm sorry.  
16 Generally speaking, no. I have worked with Mr. Meise.  
17 There were issues special and specific with the air show  
18 practice where the -- Mr. Meise believed that they could  
19 allow aircraft through the airspace. And he believed that  
20 the tower staff were giving a little bit too wide a girth,  
21 which -- I don't want to misspeak, but, in your eyes, it was  
22 essentially giving them priority over the work he needed to  
23 do. And his crop duster has every right to be in the space,  
24 just not the same space.

25           And so on his behalf, I had a conversation with

1 the tower manager. And she agreed that they could do  
2 better. And I had a chance to talk to her about what Mr.  
3 Meise said about -- because that's his livelihood. And  
4 every minute that propeller is turning and he's not getting  
5 to or from his job, that costs him. And she agreed that  
6 they could do better and that they were -- actually had  
7 already started that process internally to find a way to  
8 make sure that Boeing could, of course, still do their  
9 flight testing, but could allow Mr. Meise and other people  
10 to make sure the airspace is closer to the airport so they  
11 didn't have to -- to curve all the way around.

12 So we did have that conversation. And I hope  
13 you've seen an improvement since.

14 **MR. MEISE:** They're really good to work with. I  
15 have no complaints.

16 **PRESIDENT JONES:** Thank you. That was my  
17 question.

18 Before I get to you, I'm going to open it up to  
19 these two gentlemen to see if they have any questions at  
20 this point.

21 Commissioner Jackson?

22 **COMMISSIONER JACKSON:** I don't have any questions.  
23 I've got a statement. I've also had conversations with Mr.  
24 Meise. I am well aware of the agricultural industry,  
25 growing up in it as a kid. And I know a day lost in spring

1 doesn't get paid up, and the following month, it's gone.  
2 And I've tried to do my best to facilitate everybody working  
3 on the same day getting not only those tests done, but not  
4 interrupting our agricultural pilots or other pilots that  
5 are using the airspace and our general facility.

6 **PRESIDENT JONES:** Commissioner Kunkle?

7 **COMMISSIONER KUNKLE:** No, nothing, other than I  
8 agree with Eric.

9 **PRESIDENT JONES:** Okay. Mr. Chmelik.

10 **MR. CHMELIK:** Thank you, Commission President. C-  
11 h-m-e-l-i-k.

12 I would be remiss as the Port's attorney if I  
13 didn't give you a recommendation.

14 I believe this is an aeronautical event in my  
15 reading of the Grant Assurances and my experience in working  
16 with the FAA Compliance Manual. I understand the FAA's  
17 role, which is to protect the sanctity of the grant program  
18 and the Grant Assurances.

19 I believe that, based on what I have seen, that  
20 the staff has, my legal perspective, come up with reasonable  
21 terms, and this will not unjustly discriminate in favor of  
22 the U.S. Air Force as opposed to some of the users. There  
23 are -- there is justification we've heard, not only saving  
24 taxpayer dollars, but the physical nature of the tests.

25 And finally, I think that, from what I've heard,

1 this complies with the Grant Assurances, although I will say  
2 that some of you disagree with me. And there is a process  
3 in the FAA area to have what's called Part 16 investigation.  
4 And the purpose of that is to, ultimately, decide if you  
5 made the right decision with regard to your Grant  
6 Assurances.

7 But I didn't want to leave you hanging out here  
8 and not telling you that, at least in public, I think you've  
9 done everything correctly. But nobody will know until the  
10 end of the day if and when somebody ever decides to  
11 challenge that decision.

12 **PRESIDENT JONES:** If there are no further  
13 comments, I'm going to recess the executive session for half  
14 an hour, Mr. Chmelik?

15 **MR. CHMELIK:** That'll be plenty.

16 **PRESIDENT JONES:** Okay. So we are in recess for  
17 half an hour.

18 **(WHEREUPON, a recess was taken.)**

19 **PRESIDENT JONES:** Are you up and running?

20 **UNIDENTIFIED MALE SPEAKER:** Yes, sir. We're good  
21 to go.

22 **PRESIDENT JONES:** Okay. We will reconvene the  
23 Commission meeting executive session.

24 And Mr. Bishop, I think you had some comments  
25 you'd like to make.



1           **MR. BISHOP:** Yes. Thank you, Mr. President.

2           Staff is submitting to the Commission today  
3 Resolution number 1388, a resolution of the Commission that  
4 the Port of Moses Lake concerning the proposal by the United  
5 States Air Force to test KC-46 critical systems at Grant  
6 County International Airport on the weekend of June 16th and  
7 17th.

8           Mr. President, staff is submitting this resolution  
9 to you based on a multitude of factors, a careful review of  
10 the record, careful consideration, including consultation  
11 with experts both in the aviation and in the legal world  
12 related to both prudent airport operations and in -- with  
13 the most -- utmost respect for the Grant Assurances the Port  
14 has agreed to comply with.

15           Over the last two-year period, this issue has been  
16 discussed with the FAA on numerous occasions, up to and  
17 including a trip that I took to Washington, D.C., to meet  
18 with FAA Headquarters. And regrettably, up until this point  
19 in time, we've received no clear and concise direction from  
20 the FAA in regard to this matter. So therefore, we've been  
21 left with a conclusion that it's up to us to give careful  
22 due diligence to this issue and consider everyone, thus the  
23 reason for today's meeting and the public hearing.

24           That being said, Mr. President, and in response to  
25 our review of the record, the data was put in, staff

1 briefings, research, and so forth. Staff is submitting to  
2 the Commission today Resolution number 1388 for your  
3 consideration, Mr. President.

4 **PRESIDENT JONES:** Commissioners, comments?

5 **COMMISSIONER JACKSON:** I would just like to say  
6 that Grant County International Airport, we pride ourselves  
7 at being a --

8 **PRESIDENT JONES:** Speak up so we make sure we get  
9 it on --

10 **COMMISSIONER JACKSON:** -- top-notch, state-of-the-  
11 art flight testing center. We've spent a lot of time and  
12 effort as well as staff with taxpayer dollars to ensure that  
13 not only we have a TRACON facility here that we can  
14 accommodate these testing centers with, but I'm trying to  
15 accommodate all of the community and the aviation industry  
16 at the same time.

17 **PRESIDENT JONES:** Commissioner Kunkle?

18 **COMMISSIONER KUNKLE:** As a former military  
19 helicopter pilot, I would like to think that we would give a  
20 little priority to the Air Force for their testing and their  
21 further development of their aircraft.

22 **PRESIDENT JONES:** I would like a motion. Then  
23 I'll make my comment.

24 Commissioners?

25 **COMMISSIONER KUNKLE:** I'll move that we adopt

1 Resolution number 1388, a resolution of the commission of  
2 Port of Moses Lake concerning the proposal by the United  
3 States Air Force to test KC-46 critical systems at Grant  
4 County International Airport on the weekend of June 16 and  
5 June 17, 2018.

6 **COMMISSIONER JACKSON:** I'll second that.

7 **PRESIDENT JONES:** If anybody in the audience would  
8 like a copy, I believe there's some in the back of the room  
9 that will be available along with all the supporting  
10 documents that we have seen, that have been submitted.

11 We are a unique airport. We've been talking about  
12 this with the FAA and the people that are out here. We're  
13 not a typical get your 5:00 o'clock flight in the morning  
14 out of here and back at night. We have all kinds of  
15 interesting things going on.

16 And from time to time, these activities  
17 inconvenience people. We don't -- we try to minimize that.  
18 We think that it's important for this facility to be  
19 available to the public. But we need to get jobs done for  
20 the people that use this airfield.

21 So we've looked at not only what was presented  
22 today, but a number of other documents. They will all be  
23 part of this resolution and available to you and the public  
24 when the meeting is over.

25 With that, if there are no further comments, all

1 those in favor of passing the Resolution 1388, please say  
2 aye.

3 **COMMISSIONER JACKSON:** Aye.

4 **COMMISSIONER KUNKLE:** Aye.

5 **PRESIDENT JONES:** Aye.

6 That's approved.

7 Looking around and seeing no other business,  
8 ladies and gentlemen, we are adjourned. Thank you.

9 **(WHEREUPON, the meeting was concluded at 11:13**  
10 **a.m.)**

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1 CERTIFICATE

2

3 I, Karynn S. Willman, do hereby certify that

4 the proceeding named herein was professionally transcribed

5 on the date set forth in the certificate herein; that I

6 transcribed all testimony adduced and other oral

7 proceedings had in the foregoing matter; and that the

8 foregoing transcript pages constitute a full, true, and

9 correct record of such testimony adduced and oral

10 proceeding had and of the whole thereof.


11

12 IN WITNESS HEREOF, I have hereunto set my

13 hand this 19th day of June, 2018.

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19 Karynn S. Willman

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