



Colorado Air and Space Port
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Watkins, CO 80137
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coloradoairandspaceport.com

HB24-1235: Reduce Aviation Impacts on Communities Amend Testimony – Jeff Kloska

Chair and Members of the House Transportation, Housing & Local Government Committee,

My name is Jeff Kloska, and I am the Executive Director of the Colorado Air and Space Port (CASP). I am here today testifying in support of an amended position representing the Colorado Air and Spaceport and the Adams County Board of County Commissioners. Colorado Air and Space Port is one of three designated General Aviation Reliever Airports in the Denver Region. CASP has over 500 based aircraft and a federally licensed horizontal launch Spaceport owned and operated by Adams County.

We have been informed that a series of amendments will be added to the bill today to help remedy many of our concerns with the legislation as introduced. Thank you for hearing from the general aviation industry here in Colorado, and I would like to share some additional context about our operations for consideration.

- The Colorado Air and Space Port has a great relationship with CDOT Aeronautics and Colorado’s Civil Aeronautics Board. Under Dave Ulaine’s leadership, the CASP has continued to receive state grant funding support from a healthy grant funding mechanism maintained by Dave and his team. The civil aeronautics board currently has an excellent composition including diverse representation from all over the state.
- The amended legislation still significantly shifts the composition of the Colorado Aeronautics Board (CAB) away from being statewide aviation-focused to highly localized airport politics and issues, specifically those of airports in densely populated areas. This piece of legislation pushes the statewide board and aeronautics division to place focus on issues of noise, which have historically been left out of the board and division’s purpose due to their highly political nature. The proposed new makeup will be highly localized on front-range general aviation (GA) airports, notably Centennial Airport and Rocky Mountain Metropolitan Airport (RMMA) by indirect definition.
- Regarding 100LL fuel: We agree 100% that the industry needs to transition away from 100 low-lead fuel and is making great strides in that direction with the EAGLE initiative and several companies working on developing 100-octane unleaded options. A state grant mechanism to assist with infrastructure is a great idea, and CDOT Aeronautics can already provide grants to assist airports in this effort. Still, again,

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles “Chaz” Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve J. O’Dorisio
DISTRICT 4

Lynn E. Baca
DISTRICT 5

Centennial and RMMA appear to get prioritized first, which is unnecessary. Centennial already has infrastructure and carries 94UL, and RMMA is moving forward with new infrastructure for a lead-free alternative. It's important to remember that there are 70 airports in Colorado, and CDOT Aeronautics can't focus on just two.

We appreciate the sponsor's willingness to work with our Aviation community on this legislation. The strike-below amendment being offered today is a testament to their work with all stakeholders to make this legislation a net positive to the aviation industry in Colorado and highlights its importance.

In closing, I sincerely thank you for your time and attention.

Jeff Kloska
Executive Director
Colorado Air and Space Port, a Division of Adams County



October 19, 2023

VIA EMAIL TO AG@COAG.GOV AND FEDERAL EXPRESS OVERNIGHT

Attorney General Philip J. Weiser
Office of the Attorney General
Ralph L. Carr Judicial Building
1300 Broadway, 10th Floor
Denver, CO 80203

Dear Attorney General Weiser,

We recently learned that you will be hosting a Colorado Community Listening Session for residents who believe they are impacted by general aviation airports along the Front Range, and we are providing background information about general aviation as well as aspects of Federal Aviation Administration (FAA) and Environmental Protection Agency (EPA) authority that apply to aircraft and airports. We hope this information will be helpful in fostering a productive and informed discussion during the upcoming listening session and ensure that any potential concerns are discussed in the context of applicable laws and regulations.

It's not always understood that public airports contribute significantly to the economic, transportation, and recreational needs of their surrounding region while also serving a national role, as critical components of the National Plan of Integrated Airport Systems. Each public airport is an integral part of its community. Besides the jobs and income directly provided, each airport is instrumental in creating community income through businesses and industries that use general aviation (i.e., non-airline) transportation to facilitate their operations. Each airport also serves as a vital resource to support community needs including medevac and angel flights for medical needs, aerial firefighting, and disaster response.

The aviation community strives to enable airports to coexist harmoniously with the local community. When concerns arise regarding aircraft noise, emissions and flight paths, it's vital to remember that these areas are subject to federal preemption. Our associations strongly support a safe and coordinated nationwide transition to unleaded aviation fuels. We also support FAA policy requiring airport sponsors to protect their airports from incompatible land use development. We urge you to consider these critical factors as you convene the listening session with Colorado residents. It is essential to strike a balance between community concerns and legal safeguards that enable our national aviation infrastructure, including airports across the Front Range, to serve our country's transportation needs. Additional details on these areas, as well as progress towards an unleaded aviation future, are below.

1. The regulation of airspace and noise at airports

Congress has long granted the FAA exclusive jurisdiction to regulate the areas of airspace use, management and efficiency; air traffic control; safety; navigational facilities; and aircraft noise at its source. (49 U.S.C. §§ 40103, 44502, and 44701- 44738). This means that any attempt to regulate the airspace by a state or its political subdivision has been preempted. Unless a state can demonstrate that there is an exemption that would allow it to regulate aircraft in flight, it cannot take actions that are calculated to regulate such aircraft for the purpose of limiting noise within U.S. airspace.

“While the federal government’s exclusive statutory responsibility for noise abatement through regulation of flight operations and aircraft design is broad, the noise abatement responsibilities of state and local governments through exercise of their basic police powers are circumscribed.” (FAA Aviation Noise Abatement Policy, Nov. 18, 1976, II(B).) “The chief restrictions on state and local police powers arise from the exclusive federal control over the management of airspace. Local authorities long have been preempted by the federal assumption of authority in the area from prohibiting or regulating overflight for any purposes. That principle was found in 1973 to include any exercise of police power relating to aircraft operations in *City of Burbank v. Lockheed Air Terminal*, 411 U.S. 624 (1973). In the *Burbank* case, the Supreme Court struck down a curfew imposed by the city in the exercise of its police power. The Court’s reliance on the legislative history of section 611 and the 1972 amendments to it indicate that other types of police power regulation, such as, restrictions on the type of aircraft using a particular airport, are equally proscribed. The Court, however, specifically excluded consideration of the rights of an airport operator from its decision.” (FAA Aviation Noise Abatement Policy, Nov. 18, 1976, II(B).)

“There remains a critical role for local authorities in protecting their citizens from unwanted aircraft noise, principally through their powers of land use control.” (FAA Aviation Noise Abatement Policy, Nov. 18, 1976, II(B).)

In *Air Transport Association of America v. Crotti*, 389 F. Supp. 58 (N.D. Cal., 1975), the district court explained that the *Burbank* preemption rule still applied “***to regulations that actually affect the flight of aircraft. The portion of the California statute struck down by the court provided for criminal sanctions against the operator of an aircraft that exceed a single-event noise standard on takeoff or landing, a clear interference with the FAA’s control over flight operations in the navigable airspace.***” (FAA Aviation Noise Abatement Policy, Nov. 18, 1976, II(C), *emph. added*; see *Crotti* at p. 65.)

In *Crotti*, the district court further held:

“We are satisfied and conclude that the SENEL provisions and regulations of noise levels which occur when an aircraft is in direct flight, and for the levying of criminal fines for violation, ***are a per se unlawful exercise of police power*** into the exclusive federal domain of control over aircraft flights and operation, and air space management and utilization in interstate and foreign commerce. ***The thrust of the Single Event Noise Exposure Levels is clear and direct and collides head-on with***

the federal regulatory scheme for aircraft flights delineated by and central to the Burbank decision.” (Id. at p. 65, *emph. added.*)

As the seminal cases of *Burbank* and *Crotti*, and FAA policy lay down, a state cannot regulate an aircraft in flight that is compliant with federal law and regulations, even for noise abatement purposes.

Similarly in *State by Minnesota Public Lobby v. Metropolitan Airports Comm.*, 520 N.W.2d 388 (1994), the Minnesota Supreme Court, applying *Burbank*, held that state noise standards were inapplicable to aircraft in flight. Therein, the State of Minnesota promulgated maximum permissible noise limits and divided land into three “Noise Area Classifications” and created limits on noise pollution for each classification.” (Id. at p. 389.) “Most of the area surrounding the MSP falls within Classification 1, which has the strictest requirements and applies to areas where people have an expectation of peace and quiet in residential areas. The standards set a maximum noise level for daytime and nighttime which may not be exceeded for more than a certain portion of each hour.” (Ibid.) The Minnesota Supreme Court held, “The [U.S.] Supreme Court has made clear states may not enact noise regulations which impinge on aircraft operations, and that is precisely what the MCPA noise standards do.” (Id. at p. 393.)

In *U.S. v. City of Blue Ash, Ohio*, 487 F. Supp.135 (S.D. Ohio, 1978), the district court enjoined a city ordinance requiring departing aircraft to make a turn to a given heading prior to reaching a described location because that ordinance was for the purpose of controlling aircraft noise. The district court explained that the purpose of flight direction is noise abatement and acknowledged, “It is the pervasive nature of the scheme of federal regulation of aircraft noise that leads us to conclude that there is pre-emption.” (Id. at p. 136.) The district court concluded, “It follows that City of Burbank requires a municipal ordinance resting on police power, which manages or dictates action by aircraft in navigable airspace for the purpose of noise control, is invalid under the preemption doctrine.” (Id. at p. 137.)

Thus, an attempt by a state to regulate or control aircraft flight for noise control purposes is preempted and invalid due to the supremacy of federal law in matters concerning aviation.

2. Regulation of aircraft emissions

Federal law prohibits states from regulating aviation emissions under the Clean Air Act (CAA). Specifically, Section 233 of the CAA preempts states and their political subdivisions from “adopting or attempting to enforce any standard respecting emissions of any air pollution from any aircraft or engine thereof unless such standard is identical to a standard” established by the Environmental Protection Agency (EPA). (42 U.S. Code § 7573 - State standards and controls).

Under Section 231 CAA, the EPA has established emission standards for aviation. Importantly, these standards do not prohibit the use of lead and other fuel additives in aviation gasoline. Instead, the EPA focuses on regulating the emissions that result from the use of these additives. Specifically, 40 CFR (Code of Federal Regulations) Part 87, titled “Control of Air Pollution from Aircraft and Aircraft Engines,” sets standards for allowable lead emissions from aircraft engines.

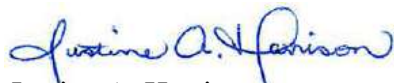
It is crucial to note that the CAA explicitly prevents states and local communities from creating their own emission standards in this context. In essence, the federal government, through the EPA, maintains exclusive authority over regulating aviation emissions, including lead emissions, ensuring consistency and uniformity across the country.

The FAA and industry stakeholders are working to effect a safe and coordinated nationwide transition to unleaded aviation fuel (AvGas) through the Eliminate Aviation Gasoline Lead Emissions (“EAGLE”) initiative, but the effort is not at the finish line yet. Currently, there is no unleaded aviation fuel being commercially refined and distributed for sale on a national basis for use in all piston aircraft. 70% of the AvGas sold annually across the nation is purchased by aircraft that have high compression engines that cannot legally or safely use unleaded options currently available in the marketplace (i.e., 94UL). One 100 octane unleaded fuel (GAMI’s G100UL) has been approved by the FAA for use in certain aircraft but, at this time, is not approved for use in any rotorcraft, nor is it in commercial production and distribution. For public safety, it is vital to ensure that the sole fuel that many aircraft require to operate safely and legally remain available until a safe and legal 100 octane unleaded fuel supply is available at airports.

We remain committed to working with all stakeholders, including residents, local authorities, and airport operators, to find practical solutions to the challenges that arise. We are confident that by engaging in informed and constructive dialogue, we can ensure the continued prosperity of both the local community and the aviation sector. Thank you for stimulating such dialogue, and for your consideration of the information in this letter.

If you have any questions or require further information, we encourage you to contact the FAA’s Office of Airport Compliance.

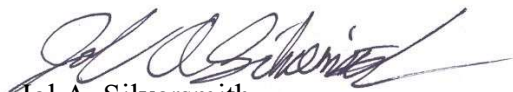
Sincerely,




Justine A. Harrison
General Counsel
Aircraft Owners and Pilots Association



Alex Burkett
General Counsel
General Aviation Manufacturers Association



Jol A. Silversmith
Counsel for
Helicopter Association International
National Business Aviation Association



Lars H. Liebeler
General Counsel
National Air Transportation Association

Cc: Kevin Willis, FAA Office of Airport Compliance (via email)
Joseph Manges, FAA Office of Chief Counsel (via email)

Written Testimony

pg. 1

Written testimony is a public record under the Colorado Open Records Act (CORA) and is provided to individuals upon request. Individuals submitting written testimony must use this sheet, but do not need to complete the optional portions. Attachments to this sheet are permitted. Please see a staff person for any questions regarding written testimony.

Bill: HB24-1235

Date: 3/5/2024

I came to the Capitol Bldg to attend the airport bill hearing when I learned that the presentation was happening very late. I am unable to stay past three, so I am writing to show my support for this bill.

I lived on Blanca Peak Court in Rock Creek Superior for 16 years without any thought or disturbance from RMMMA. In 2017, when Mr. Aslow became the Director the increase in flight operations immediately became apparent!

I lived about 800ft from RMMMA's runway and the incessant noise and lead from the piston driven props, used by the flight training schools, became unbearably loud! I could not sit outside and hold a conversation. The training planes started at 6:00 am & went into the evenings. I attempted to speak,

Name <u>Nancy Thomas</u>		
Address (optional) _____		
City (optional)	Zip (optional)	
Telephone: (optional) _____		
Email: (optional) <u>nancythomas21@gmail.com</u>		
Representing _____		
Position on Bill:	For <input checked="" type="checkbox"/>	Against
	Neutral	

Pg 2

in person, with Mr. Anslow & Mr. Bishop;
in 2018 and was told that they had
wished Rock Creek was never built
and that flight operations had not
increased. They essentially belittled me
and lied to my face.

After dealing with this unbearable
noise we decided to move to the
downtown area of Superior. We
love the town and did not want to
abandon our friends. They ~~beat~~ beat us out!

I now reside in the Rogers
Farm Subdivision off of McLaslin.
We continue to hear loud props
constantly flying over on their
way up to Boulder to practice their
stunts & circles (turns). You cannot
sit outside on a beautiful &
non windy day without constant
plane noise. The jets that fly
into ^{out of} RMMA are also extremely
loud & are becoming more of a
nuisance!

Many planes fly into RMMA
from Centennial, Erie & Boulder
airports as well.

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Bill: HB 24-1235

Date: former

The Director of RMM, Mr Anslow, was let go from his position as he was caught by NPR calling all of us who are "set up with their antics & lies Nut Jobs!"

Name	Nancy Thomas	
Address (optional)		
City (optional)		Zip (optional)
Telephone: (optional)		
Email: (optional)	nancythomas12@gmail.com	
Representing		
Position on Bill:	For <input checked="" type="checkbox"/>	Against
	Neutral	

They payed lip service to sponsoring a round table while they continued to EXPAND! They currently operate 4 flight schools where props are continually flying over South Park Creek!! The problem was awful when I lived there & it has exponentially gotten worse!

These props are antiquated & crash. They use lead based fuels. The touch & goes are out of control!!

My physical & emotional health, when I lived in Rock

Page 4
Creek became compromised. I developed PTSD from the incessant LOUD noise from the training props. Now since I have moved the LOUD plane noise is still ~~a~~ ~~problem~~ problematic and disturbing!

Will it take lead poisoning in children as demonstrated by learning disabilities, or a crash before sensible action is taken!

Written Testimony

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Bill: HB24-1235

Date: 3/6/2024

Name	DAVETTE ZINIK	
Address <i>(optional)</i>		
City <i>(optional)</i>	Zip <i>(optional)</i>	80111
Telephone: <i>(optional)</i>		
Email: <i>(optional)</i>	dzinik@yahoo.com	
Representing		
Position on Bill:	<input checked="" type="radio"/> For	<input type="radio"/> Against
	<input type="radio"/> Neutral	

Please support HB24-1235.

I came to the Capital hearing in person @ 3pm

on 3/6/2024. I learned the hearing may not start until 5pm. I cannot wait that long but I want my voice heard + presence counted.

I live in Cherry Creek Vista South near Centennial Airport. The touch + go airplanes are relentless, daily, for 8-12 hours at a time. I have lived in my house for over 30 years. The last 2 years have been filled with a constant roar in the sky.

I have gone to numerous meetings + written several letters. My neighbors + I have worked hard to improve this situation. Please help us reclaim some peace in our community + vote in favor of HB24-1235.

Thank you.

Written Testimony

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Bill: ~~HB~~ HB 24-1235

Date: 3/6/24

I live in Rock Creek, Superior for

23 years. Since 2017 the plane traffic has been constant, especially in the

summer. I ride my bike around Superior + Broomfield, collecting recycling ^{+ compost} from

store garbage cans, and I hear the planes above me all day long.

I support HB 24-1235, and hope that something can hold RMMA accountable for all of the leaded fuel + flight school traffic + touch + go's. Flying flight patterns over our community are not healthy, both physically + aurally. The sound is noise pollution + creates anxiety for some people.

I came to the capitol today to show my support for any legislation that will help modify the attitude of "we don't care" from the airport. Thousands of lives are impacted by the noise + pollution from the multitude of planes that fly over our homes. Will it take a plane to crash into a home for anything to change?

Thank you for bringing forth ~~legis~~ legislation that can begin to positively impact our community.

Name Laura Faeth		
Address (optional) 3356 Opal Lane		
City (optional) Superior	Zip (optional) 80827	
Telephone (optional) 303-437-0839		
Email (optional) st stalltrickster@comcast.net		
Representing		
Position on Bill:	For <input checked="" type="checkbox"/>	Against
	Neutral <input type="checkbox"/>	



FW: [EXTERNAL] AVIATION ACTION ALERT - Anti-Airport Legislation introduced in Colo. - Urgent Action needed to oppose HB24-1235Mike Malocsay to jessie.danielson.senate@coleg.gov, brianna.titone.house@coleg.gov 02/25/2024 12:37 PM

Cc "dan.graeve@coleg.gov", "jennifer.Uebelher@state.co.us", "BARRY BARNOW (barrybarnow@comcast.net)", "John Stewart"

3 Attachments



HB24-1235.pdf Summary of Economic Impact of GA in Colorado, Alliance for Aviation in America[1].pdf



2024 Colorado House Transportation.docx

Dear legislators,

As a private pilot of a small, single engine airplane and concerned pilot I strongly oppose this bill. I have been renting a hangar and flying out of Boulder Colorado since the late 1980's, have built an airplane with my own two hands, flying it out of Boulder Municipal Airport for over 20 years, finally selling it to purchase the plane I now own and enjoy (Vans RV-4 N605RV). I would also like to comment on the many negative editorials voiced by a small, but very loud group of people who seem determined, for some reason, to force the closing of the Boulder airport, an airport that has been operating I believe, since the 1920's. They have made statements regarding noise decibel levels that are not backed up by fact and pollution that is also misstated, especially in light of the amount of exhaust pollution from the many, many residents of Boulder, tourists and passersby who continually drive their cars in the city of Boulder. Other facts to consider.

1. Regarding noise, compare levels of air traffic to semi-trailer trucks, motorcycles and overall background traffic, all contributing on a constant level as compared to the relative infrequency of airplanes during instruction flights. Think about it, for cumulative noise, traffic and all the other contributors operate 24/7 whereas the airport traffic is a minute fraction of the total and I would venture, not as loud at any given time.
2. Those who want to close the airport dismiss the importance saying it's for "a few, select, wealthy patrons to operate their expensive toys". 'Wealthy' certainly doesn't apply to me. I'm still working at 69 mainly to help support my passion for flying and you'll find this is the case with many of the pilots along the front range.
3. The opposition also forgets where the air support during fires is based. The horrible fires a few years ago saw helicopters and other fire suppression aircraft operating constantly out of Boulder Airport.
4. The Air National Guard also frequently visits the field.

5. Let's not forget the jobs (and taxes paid) that would be affected i.e. flight instructors, mechanics, maintenance personnel and vendors, the restaurant workers in Greeley, Centennial airports and food trucks that sell food to the crowds at places like Longmont Vance Brand airport who bring their children out to the airport on Saturdays to stare wide-eyed at the wonder of airplanes taking off and landing. This is where it all starts and would be horrible to see that enthusiasm crushed by a few hateful people.
6. Finally, this would apply to ALL Colorado Airports and in essence seek to end flight instruction! Where do they think future airline pilots come from? From airports just like Boulder, Jeffco (now Metro airport), Centennial Airport, Longmont airport, Greeley, Erie, Fort Collins airport and more – all with operating flight schools. If flight instruction is not allowed in these airports, students would have to leave the state and travel to other areas contributing to the congestion that would most likely result in them applying restrictions, a cascading effect that would devastate the supply of much needed future airline pilots, not to mention, budding military aviation personnel inspired by their first flights at small airports like those along the front range. And none of these addresses the basic right to pursue my own aviation passion. My father was a WWII instructor who didn't receive his initial skills in the military but in a small town airport just like those that would be affected. Aviation is in my blood.

Aviation is a growing, not dying and desperately needs a pipeline of future pilots and aviation enthusiasts.

Please consider these facts and **oppose Colorado HB24-1235**
ennifer.Uebelher@state.co.us

Regards

Michael Malocsay

Hangar 3316-A, Boulder Municipal Airport.

HB Colorado HB24-1235

From: Boulder EAA <bouldereaa@gmail.com>

Sent: Saturday, February 24, 2024 12:45 PM

Subject: [EXTERNAL] AVIATION ACTION ALERT - Anti-Airport Legislation introduced in Colo. - Urgent Action needed to oppose HB24-1235

CAUTION: EXTERNAL

Dear EAA 1627 Members and Aviation Enthusiasts,

We need your help right now. We need you to contact your legislators and tell them to oppose this bill that is bad for aviation and bad for Colorado

Colorado HB24-1235 has been introduced in our state legislature and would be a disaster for pilots and airports in Colorado. It will be heard in the House Transportation Committee on March 6th.

HB24-1235--- "MEASURES TO REDUCE THE IMPACT OF AVIATION ON SURROUNDING COMMUNITIES" would:

- Set arbitrary noise limits, restrict touch and goes, and restrict hours of operations for all Colorado airports
- Require state board approval for all future FAA airport grant applications
- Block airports from grants if they do not meet new state noise limits
- Add two designated seats to the Colorado Aeronautics Board for metro Denver noise activists
- Add a \$.50/gal tax on 100LL to restrict its use

Our legislators need to hear:

---Aviation benefits all Colorado communities through business flight, tourism, access to rural areas, fighting forest fires, flight for life, agriculture aviation, search and rescue, pilot training, airline travel, and so much more.

---Aviation is a huge positive economically for our local communities, and Colorado's 70 airports sustain over 345,000 jobs and provide an economic benefit of over \$48 billion to our communities (attached).

---Colorado pilots are ready to lead in the switch to unleaded aviation fuel, but this bill does little to achieve this goal and would severely harm the future of Colorado aviation.

Please, write and/or call your personal legislators now, and send a copy to the Transportation Committee members (cc these 2 email

addresses: Jennifer.Uebelher@state.co.us and dan.graeve@coleg.gov). You can find your legislators at this link by typing in your home zip code or home address.

<https://leg.colorado.gov/FindMyLegislator>

Please feel free to write your own message, to tell your stories in your words, and to share this message with any other people or groups in your community who value aviation.

Don't let a few vocal Denver Metro anti-airport noise activists hurt aviation across our state.

This is critical for us in Colorado aviation. Please help us oppose Colorado HB24-1235.

Thank you for your time and fly safe.

Kent Katnik, President
EAA 1627
KBDU
BoulderEAA@gmail.com



601 Pennsylvania Ave NW, Suite 250
Washington, D.C. 20004

T. 202-509-9670
www.aopa.org

March 6, 2024

Representative Meg Froelich
Chair, House Transportation, Housing & Local Government Committee
200 E Colfax Avenue
Denver, CO 80203

TRANSMITTED VIA ELECTRONIC SUBMISSION

meg.froelich.house@coleg.gov

david.ulane@state.co.us

Re: CO H 24-1235 - Reduce Impact of Aviation on Surrounding Communities

Chair Froelich and Members of the House Transportation, Housing & Local Government Committee:

The Aircraft Owners & Pilots Association (AOPA) is the world's largest aviation membership organization representing the general aviation interests of hundreds of thousands of aircraft owners and pilots across the country, including almost 8,400 from the state of Colorado. On behalf of these members, **AOPA encourages continued amending of House bill 24-1235 to eliminate the most harmful impacts to Colorado aviation.**

Although AOPA appreciates the efforts the bill sponsors have made to engage in meaningful dialogue with aviation organizations, we urge this Committee to continue both further partnership and amendments to minimize unintended negative consequences for Colorado aviation. According to a 2020 study, the Colorado aviation industry generates \$48.6 billion in revenue while supporting 345,000 jobs and House bill 1235 *in its original form* seriously threatened this important economic engine.

While we understand that the amended bill being presented to your committee eliminated Section 9, which created an Unleaded Aviation Gasoline Enterprise Fund by charging users of 100 octane leaded (100LL) aviation gasoline (avgas) users up to fifty cents per gallon, we felt it important to share the devastating effects such legislation might have had on general aviation. Among other things, this proposed surcharge would have significantly increased costs for training the next generation of desperately needed pilots because flight schools would have had to pass the additional costs on to their students. This would have increased the debt load on those student pilots and would have discouraged many from completing their training, in turn exacerbating the critical pilot shortage this Nation is facing.

On a related note, and should this subject come up again in the future, we are taking this opportunity to remind your committee of the wide range of Colorado political subdivisions that utilize 100 octane fuel in aircraft used for law enforcement, firefighting, and emergency medical services. Community benefit flying such as Young Eagles intro flights for youth, Angel Flights for the critically ill, and mercy flights for animals by organizations such as Pilots for Paws would likely decrease dramatically as a result of such a surcharge.

The original bill also mandated that the state Aviation Division adopt a plan for phasing out sales of 100LL avgas at Colorado airports by January 1, 2026, even though there is currently no widely available 100 octane unleaded avgas anywhere. Although we acknowledge the significantly improved language included in proposed amendments to this section that requires alignment with Federal Aviation

Administration (FAA) and/or Environmental Protection Agency guidelines, we remain concerned about the risks of outlining a plan to phase out 100LL even before an approved, widely available 100 octane unleaded avgas is available. We ask that the Committee consider eliminating this provision in recognition of the great strides the aviation community has made toward identifying a fleetwide drop-in replacement of leaded avgas through the Biden Administration's [Eliminate Aviation Gasoline Lead Emissions \(EAGLE\)](#) initiative. EAGLE through its government and industry partnership continues to drive hard towards removing lead from aviation fuel by the end of 2030 (if not sooner). Any legislation that could lead to a ban of 100LL avgas before the 100UL solution is widely available is both premature and dangerous. As an example, Santa Clara County pre-emptively banned the sale of 100LL avgas in 2022 and provided 94 octane unleaded (94UL), which is the only unleaded fuel currently available. Since 30% of the general aviation fleet requires the higher 100 octane fuel to prevent engine detonation, discontinuing 100LL avgas sales at Santa Clara County created the potential for misfuelling. This happened on at least one occasion when an aircraft requiring the higher-octane fuel was mistakenly fueled with 94UL. In another accident, the pilot could not add fuel to his aircraft following a maintenance inspection and tried to fly to nearby San Jose International for the correct fuel. That aircraft ran out of fuel and crashed – thanks fully without serious injury to those aboard the aircraft or on the ground.

AOPA also requests further amendment and reconsideration of Section 6 which would expand the Colorado Aeronautics Board (CAB) composition and duties. The CAB was created to work within the Colorado Department of Transportation to promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state. Adding two additional voting members that are not trained pilots, reside in an airport community that is significantly impacted by noise or lead emission, and are merely familiar with aviation or airport infrastructure but not necessarily subject matter experts in aviation does not align with the overarching objectives of the CAB mission.

AOPA thanks the sponsors for amending language in CO H 24-1235 Section 8 which would have likely violated federal preemption laws outlined in 49 U.S.C. §§ 40103, 44502, and 44701- 44738 that grant the FAA exclusive statutory jurisdiction over the regulation and management of airspace. The expected amendments also appear to avoid running afoul of FAA grant assurances for airports where violations could have led to the FAA withholding millions of dollars of desperately needed funds for airport improvement projects supporting safety and efficiency at Colorado airports. Finally, and for the committee's reference, Federal law regarding regulation of airspace, aircraft emissions, and aircraft noise were thoroughly addressed in an October 19, 2023 letter from the General Counsels of leading national aviation associations to Colorado Attorney General Philip Weiser (attachment 1) and we felt that it was important to share this document with this Committee for your collective reference.

Since 1939, AOPA has remained committed to ensuring the safety, future viability, and development of airports and general aviation as an integral part of communities and the national transportation system. For these reasons, **AOPA urges continued amendment of House bill 1235**. Please consider AOPA as a resource on matters related to general aviation. For questions or concerns, contact AOPA Northwest Mountain Regional Manager Brad Schuster E: brad.schuster@aopa.org T: 202-851-7502.

Sincerely,



Brad Schuster

Chair, Transportation, Housing & Local Government Committee
March 6, 2024
Page 3 of 3

Northwest Mountain Regional Manager, AOPA

Attachment: October 19, 2023 - Joint General Counsel Letter to Colorado Attorney General Philip Weiser

CC: Director, Aeronautics Division, Colorado Department of Transportation

**COLORADO AVIATION BUSINESS ASSOCIATION Comments on HB24-1235
Measures to Reduce the Impact of Aviation on Surrounding Communities.**

Section 3 Page 6 Tax Credit for Aircraft Supplemental Type Certificates

Line 9: Suggest changing to “containing tetraethyl lead additives.”

Line 12: Suggest adding after “Supplemental type certificate” “or any other authorization”. It looks as though there are unleaded formulas which may come on line soon that are going through an approval pathway that will not require an STC, but other authorization.

Line 17: Suggest changing “in this state” to “registered with the FAA in Colorado” to avoid any potential for an out of state aircraft to come to Colorado for the STC and take advantage of this incentive, which we don’t believe would be the intent.

SUPPORT

Section 4 Page 8 CRS Definitions of “Aviation Purposes”

Lines 8-13: All of this is already considered “aviation purposes”, but the clarification is helpful.

Lines 14 -17: Very much appreciate including the Division’s suggestion to permit transitional subsidies to airports for the cost difference between leaded and unleaded avgas. This is likely to be the single most immediately effective incentive for aircraft operators whose aircraft can use existing low octane unleaded avgas.

SUPPORT

Section 5 Page 9 Revisions to the Duties of Division

Lines 4-8: This section is quite problematic. Airport sponsors, local jurisdictions and state agencies do NOT have the authority under federal pre-emption to “prevent and mitigate the adverse impacts of aircraft noise and leaded aviation gasoline”. Attempts to do this as outlined in this draft will likely run the state afoul of federal law.

AMEND to delete

Lines 12-19 – Airports, industry, aircraft manufacturers and aircraft owners and operators are universally aware of the need to transition to unleaded avgas at such time as a safe, fleetwide fuel is available. At this time, that is NOT the case, with only one approved low octane unleaded fuel available, which can only be used by a portion of the existing GA fleet. This section would create an

unnecessary burden on the Division workload with minimal, if any benefit.

AMEND to delete.

Section 6 Page 10 Revisions to CAB Composition

Lines 8-19: This section appoints two non-pilot members to the Colorado Aeronautical Board (CAB), which by bill definition would be residents of communities surrounding essentially two airports- Centennial and RMMA. This dilutes the historic and effective statewide focus of the Division to support all 66 public use airports across the state, not just specific airports. Additionally, CAB members have always represented their broader CRS-defined constituency, never just one airport, even their own. Finally, this materially alters the intent of the CAB by diluting and deflecting from its critical mission of supporting airport infrastructure and aviation safety in the State.

We do not believe the CAB is the appropriate venue for these new members. If, however, CAB members are to be added, suggest language be included specifying that new members are to be appointed one from the western slope, and one from the eastern slope of the state, to align with the state-wide mission of the CAB, and that the new CAB member terms start in December, as do all current CAB member terms. Additionally, suggest that the new members have some technical aviation background in airport infrastructure and/or aviation safety, and/or a non-pilot FAA certification to align with the highly technical mission of the CAB. Further, would also suggest language be added noting that one of the new positions will be appointed for only one year initially to ensure compliance with the existing requirement that no more than three CAB member terms expire in the same year.

AMEND to delete.

Alternatively, AMEND- have these two new non-pilot board members aligned with existing regional representations- one eastern plains, one western slope, to continue with the statewide mission of the CAB and Division, and to have technical background in aviation infrastructure or safety, and/or non-pilot FAA certification. Include language to note December term start, and initial term of one new member to be one year.

Lines 26-27 page 10, Line 1 page 11 – We do not believe this does anything to enhance the CAB mission of supporting airport infrastructure and promoting aviation safety in the state. We believe this would be an inefficient use of the CHPHE Executive Director’s, or their designee’s, time.

AMEND to delete.

Section 7 Pages 11-12 Restrictions on Application for FAA Airport Funds

Lines 13-27 Page 11, Lines 1-7 Page 12: In Colorado, all federal airport improvement funds flow directly from FAA to the airport sponsor, as applied for directly to FAA by the sponsor. The Division does not and never has had a role processing airport sponsor applications for federal funding, nor do any federal airport funds flow through our Division, so this entire section would never be implemented.

AMEND to delete- the inclusion of this language does not impact how federal funds flow to Colorado airports, but its inclusion could be confusing, and ideally, would be deleted.

Section 8 Pages 13-14 Mandated Discretionary Grant Priorities

Lines 5-18 page 13: This section would completely upend how the Division's planning team collaborates with FAA and airport sponsors statewide to prioritize and program the Division's limited funding to support a robust *statewide* aviation system, not just one centered on a handful of front range airports. In prioritizing grants each year, the Division team uses a combination of factors, including our adopted [2020 State Aviation System Plan](#), statewide airports needs and demands, available FAA funds and priorities, and their objective [Pavement Condition Index tool](#).

By requiring the Division to prioritize grants to general aviation airports and commercial service airports with significant GA activity located in a municipality with more than 3,000 per square mile, the Division's ability to effectively and efficiently support a statewide system would be significantly compromised. This section essentially requires the Division to prioritize their funding on front range airports, reducing opportunities to support safe and well-maintained airports in the rest of Colorado.

AMEND- delete this requirement.

Section 8 Pages 13-15

Requirements for Unleaded Fuel Transition & Noise Mitigation Plans

Lines 19-27 page 13, lines 1-2 page 14: This section would require certain airports (front range GA airports by definition in the bill) to adopt a plan for the phaseout of leaded avgas, as a condition of receiving Division grant funds. This plan would have to be submitted to the Division. It is outside the authority of the Division as a state agency to approve or set standards or timelines for such plans.

Line 27 page 13, lines 1-2 page 14: The creation of plans to phase out sales of leaded aviation gasoline before a widely available, commercial 100UL alternative exists is premature and compromises aviation safety. It will also very likely contravene provisions in the federal FAA reauthorization. CABA supports, and is

fully committed to, a smart and safe transition to 100UL, but cannot support any effort to eliminate leaded avgas sales before a safe and federally approved 100UL solution exists and is made available.

Lines 3-27 page 14, lines 1-4 page 15: This section would require the Division to develop “criteria, requirements or guidelines” for voluntary noise mitigation plans that would be required of this same set of defined airports requesting Division funds. It would then require airports to enforce these “voluntary” plans, which are to include steps to limit noise, and implement restrictions on flight departure times, number of aircraft operations departures and number of touch and goes. Voluntary efforts, by their nature, cannot be “enforced”, so this section as worded establishes a significant conflict.

Importantly, neither local airport sponsors nor the state can “enforce” any of these restrictions under federal pre-emption. Congress has long granted to the FAA exclusive jurisdiction to regulate the areas of airspace use, management and efficiency; air traffic control; safety; navigational facilities, and; aircraft noise at its source (49 US.C. § 40103, 44502, and 44701-44738). This means any attempt to regulate the airspace by a state or its political subdivision has been preempted.

Furthermore, no public use airport which receives federal funding is allowed, by law, to restrict use, except for physical safety reasons, i.e. insufficient runway length, etc.

Lines 23-26 on page 14 and lines 1-4 on page 15 are also particularly troubling. An aviation agreement is a legal agreement; there is no need to address it in state legislation, nor does it seem appropriate to do so, especially insofar as there is current litigation involving this taking place at an airport in Colorado. Moreover, the Division does not have the expertise, nor should it have a role in ensuring local community compliance with any aviation easements that a local community may have elected to implement. That should be a local land use planning office responsibility. Any requirement for the Division to do this would have a profound fiscal impact, requiring additional staff and legal assistance, and taking away further funding from the Division’s already limited airport infrastructure dollars.

AMEND- delete Section 8.

Section 9 Pages 15-16

Requirement for the Division to Work with CDPHE to Install Airport Noise Monitoring Equipment and Conduct Lead Testing

Lines 7-27 Page 15, line 1 Page 16: This section would require the Division to

work with CDPHE to “evaluate, prevent and mitigate the adverse impact of aircraft noise...” This would be a fundamental shift in the Division’s mission as an agency charged with supporting airport infrastructure and aviation safety. Nationally, evaluation, and mitigation of aircraft noise (within FAA guidelines) at a particular airport is a local airport/community issue, not a statewide matter. The Division does not have the expertise nor the bandwidth to engage in such local issues, while maintaining their statutory charge to support a statewide aviation system. We predict that this change in the Division’s mission, if enacted, would have a profound fiscal impact and significantly reduce the amount of funding for airport infrastructure and safety improvements, and the Division’s numerous statewide initiatives.

Lines 19-20 on page 15 would require the Division to work with CDPHE to install noise monitoring systems at these busy defined front range GA airports. These systems cost hundreds of thousands of dollars to install, and additional hundreds of thousands of dollars needed by airports to staff, operate, maintain, and upgrade. This section is unclear on who would pay these ongoing costs for these systems, which notably, Centennial airport already has, and has had for over a decade.

Lines 21-24 on page 15 would require the Division to conduct periodic testing for lead in individuals. This is clearly outside the Division’s jurisdiction as a state aviation agency, and it is unlikely that use of Division funds for this complies with constitutional aviation purposes. Again, as with noise, this should be a local, not state matter, within the confines of federal regulation.

Lines 25-27 on page 15 and line 1 on page 16 would require the Division to provide technical assistance to these defined airports to “prevent and mitigate adverse public health, safety and welfare from such airports.” Again, this is clearly outside of a state aviation agency’s mission and is a local issue. Airports and communities with concerns like this would be best suited to utilize local resources and funds to address these, rather than detract from statewide efforts and funding. And, once again, any measures that attempt to regulate the airspace or restrict airspace will run afoul of federal law.

AMEND- delete lines 7-27 on page 15 and line 1 on page 16.

Section 9 Pages 16-24 Creation of an Enterprise Fund within Division for Unleaded Avgas Efforts

This entire sub-section would create a new enterprise within the Division, funded by a fee of up to \$0.50 per gallon on leaded avgas, to fund unleaded avgas infrastructure at certain airports, as well as incentives to transition to unleaded avgas.

As noted several times previously, this bill, by its included definitions, seems to focus on Centennial and Rocky Mountain Metropolitan airports, which together

account for 1/3 of the 3.2 million gallons of avgas sold annually in Colorado. Centennial already has unleaded avgas infrastructure installed and in use, and RMMA will have by the end of 2024 with programmed FAA funding under IJA.

With the two busiest GA airports set to accommodate unleaded avgas, the Division and CAB have the current funding resources needed to support additional airport unleaded avgas infrastructure when those airports are ready to make that choice. The Division also has the ability to fund, without an enterprise, transitional subsidies to airports to incentivize the transition to unleaded fuel for aircraft that can with today's low octane fuel, and a fleetwide 100 octane fuel when available.

There is also no defined purpose for this enterprise... as noted, the most useful mechanisms that the state can utilize to help with the transition are the infrastructure grant, the tax credit for any required STC's, and a subsidy to help cover the price differential between current fuel and a potential future fuel. It is unclear what this enterprise would be funding.

In addition, FAA grant assurances require any funds that are collected on an airport to be used at the airport for aviation purposes. This enterprise, with the undefined purposes, could run afoul of those regulations.

The proposed fee on leaded aviation gas would have a deleterious impact on general aviation in the state, and could very negatively impact charity flights, flight training, search and rescue and other local businesses and aviation services. Many private pilots will either simply fuel up in neighbouring states, or bypass Colorado altogether. The 2020 Colorado Aviation Economic Impact Study reported that Colorado aviation supported 345,000 jobs with a payroll of \$16.2 billion, and that the annual business revenue from airports in Colorado was \$48.6 billion. According to the FAA, Colorado is home to 75 repair stations, and 14 flight schools. This fee would negatively impact all of these businesses, and risk that economic impact.

Given all of this, we suggest that the complications, expense and user impact that will arise from this enterprise are unnecessary to assist with the aviation industry's stated goal of a transition to a safe, fleetwide unleaded avgas as soon as the technology and federal certification processes permit, and may be detrimental to those efforts.

AMEND to delete this sub-section

Dear Representative Kyle Brown, Representative Shannon Bird, Senator Steve Fenberg, and Senator Rachel Zenzinger,

As a Colorado student pilot, I have concerns with the recently introduced HB1235.

First, please know that all of us in the general aviation community are committed to the safe transition away from leaded aviation gasoline, as soon as a safe, viable unleaded fuel is approved and made commercially available. We are also committed to reducing noise impacts on those who wish to live near airports, to whatever extent is safe and possible.

With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.

First, we do support the provision to allow the Aeronautics Division to fund a grant to airports to help with whatever infrastructure may be needed to accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available, as well as the proposed tax credit to help aircraft owners obtain any required STC in the interim. Also, we support allowing the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel as this is the most helpful thing the state could do to smooth the transition.

However, much of the rest of the bill is problematic. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law -- regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc.

Also, we believe that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or backgrounds is dangerous; the CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters.

Finally, we are deeply concerned with the proposed fee of up to 50 cents per gallon on avgas. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there is no commercially available and approved 100-octane unleaded fuel available. Many pilots will simply buy fuel in other states, but Colorado based businesses that use piston aircraft and do not have that option will be very negatively impacted, as will be Colorado-based fuel distributors, FBO's, etc. Among the most negatively impacted will be flight schools, who would have to pass the cost along to their students. This will increase the debt load on prospective new pilots, and may discourage many from completing their training, in turn exacerbating the critical pilot shortage this nation is facing.

I am currently working on a private pilots license and am even eyeing a transition in my career to become even more aviation focused. I fully support improving our environment while at the same time supporting an industry that provides so much to many people. From jobs, income, tax revenue to just pure fun and recreation. Aviation and the community surrounding it is made up of great people from all backgrounds. Ensuring we support aviation while making sure we move forward with our environmental considerations will bring a great future for many.

We hope that you continue to listen to the aviation community in your district, and to your constituents who will be negatively impacted by parts of this bill. We urge you to retain the "carrot" pieces, and remove the "sticks". As always, we remain committed to being good neighbors and to continuing to discuss these issues.

Thank You,

Stephen Waters

A handwritten signature in black ink, appearing to read "Stephen Waters", with a stylized flourish at the end.



Fw: HB 24-1235duaneroot@netzero.net to dan.graeve 02/25/2024 12:11 PM

Greetings Dan,

My name is Duane Root, and I reside in the city of Boulder.

The House Bill 24-1235 was recently brought to my attention. I'm not one to normally get directly involved in Colorado state politics, but frankly, was shocked to read this bill in its entirety and then find it's actually up for an upcoming vote. This is truly an example of a solution in search of a problem! There is nothing in this bill that is positive, either for the residents of Colorado or the aviation industry in the state. It appears to be written to appease a small group of "whiners" at the expense of the majority of Coloradans.

As to the much ballyhooed claim of "lead poisoning " from general aviation aircraft fuel, the most recent study done for Metro Airport in Broomfield once again dispelled this as have numerous studies done in California also in an attempt to suffocate general aviation in that state. In addition, there is currently much progress being made to develop and distribute an unleaded fuel for general aviation use. This will happen when it has proven to meet the safety requirements for aircraft usage. This now appears close on the horizon.

I strongly urge you vote no on this bill.

Sincerely, Duane Root

303.875.8215

Dear Representatives and Senators,

As a Colorado pilot, I have concerns with the recently introduced HB24-1235.

First, please know that I join the general aviation community in commitment to the safe transition away from leaded aviation gasoline, as soon as a safe, viable unleaded fuel is approved and made commercially available – no sooner. I am also committed to reducing noise impacts on those who wish to live near airports, to whatever extent is safe and possible.

With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.

First, I do support the provision to allow the Aeronautics Division to fund a grant to airports to help with whatever infrastructure may be needed to accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available, as well as the proposed tax credit to help aircraft owners obtain any required STC in the interim. Also, I support allowing the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel as this is the most helpful thing the state could do to smooth the transition.

However, much of the rest of the bill is problematic. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law -- regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc. There currently are voluntary noise abatement guidelines at certain airports (KBJC included) and these should not be made mandatory. Creating such proposed rules in HB24-1235 to curb noise impacts may not solve the problem, but rather move it to a nearby airport.

Second, I believe that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or background is dangerous; the CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters. In addition, the proposed requirement of the additional two members to live in the communities surrounding KAPA and KBJC is dangerous in that the CAB is to represent the entire state and not be partial to two airports.

Finally, I am concerned with the proposed fee of up to 50 cents per gallon on avgas beginning September 2024. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there is no commercially available and approved 100-octane unleaded fuel available. Many pilots will simply buy fuel in other states which will cause the Colorado economy to decline and cause pilots to burn unnecessary fuel simply because it's cheaper elsewhere. Colorado-based businesses that use piston aircraft and do not have that option will be very negatively impacted, as will be Colorado-based fuel distributors, FBO's, etc. Among the most negatively impacted will be flight schools, who would have to pass the cost along to their students. This will increase the debt load on prospective new pilots, and may

discourage many from completing their training, in turn exacerbating the critical pilot shortage this nation is facing largely due to the airline shutdown of 2020 which forced many pilots to leave the airlines. Moreover, if there is to be a fee (or tax) to fund research and infrastructure of safe unleaded fuel, home owners near KBJC and KAPA should be required to share the financial burden since many of them have raised the concern of lead pollution near their homes.

I hope that you continue to listen to the aviation community in your district, and to your constituents who will be negatively impacted by parts of this bill. I urge you to amend HB24-1235 to fix the problematic portions of this bill.

Thank you,
Jon LaBass

Dear (Rep/Sen____)

As a Colorado pilot, aircraft owner, and or aviation-related business owner, I have concerns with the recently introduced HB1235.

First, please know that all of us in the general aviation community are committed to the safe transition away from leaded aviation gasoline, as soon as a safe, viable unleaded fuel is approved and made commercially available. We are also committed to reducing noise impacts on those who wish to live near airports, to whatever extent is safe and possible.

With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.

First, we do support the provision to allow the Aeronautics Division to fund a grant to airports to help with whatever infrastructure may be needed to accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available, as well as the proposed tax credit to help aircraft owners obtain any required STC in the interim. Also, we support allowing the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel as this is the most helpful thing the state could do to smooth the transition.

However, much of the rest of the bill is problematic. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law -- regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc.

Also, we believe that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or backgrounds is dangerous; the CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters.

Finally, we are deeply concerned with the proposed fee of up to 50 cents per gallon on avgas. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there is no commercially available and approved 100-octane unleaded fuel available. Many pilots will simply buy fuel in other states, but Colorado based businesses that use piston aircraft and do not have that option will be very negatively impacted, as will be Colorado-based fuel distributors, FBO's, etc. Among the most negatively impacted will be flight schools, who would have to pass the cost along to their

students. This will increase the debt load on prospective new pilots, and may discourage many from completing their training, in turn exacerbating the critical pilot shortage this nation is facing.

We hope that you continue to listen to the aviation community in your district, and to your constituents who will be negatively impacted by parts of this bill. We urge you to retain the "carrot" pieces, and remove the "sticks". As always, we remain committed to being good neighbors and to continuing to discuss these issues.

Thank You,

Seth Dykstra

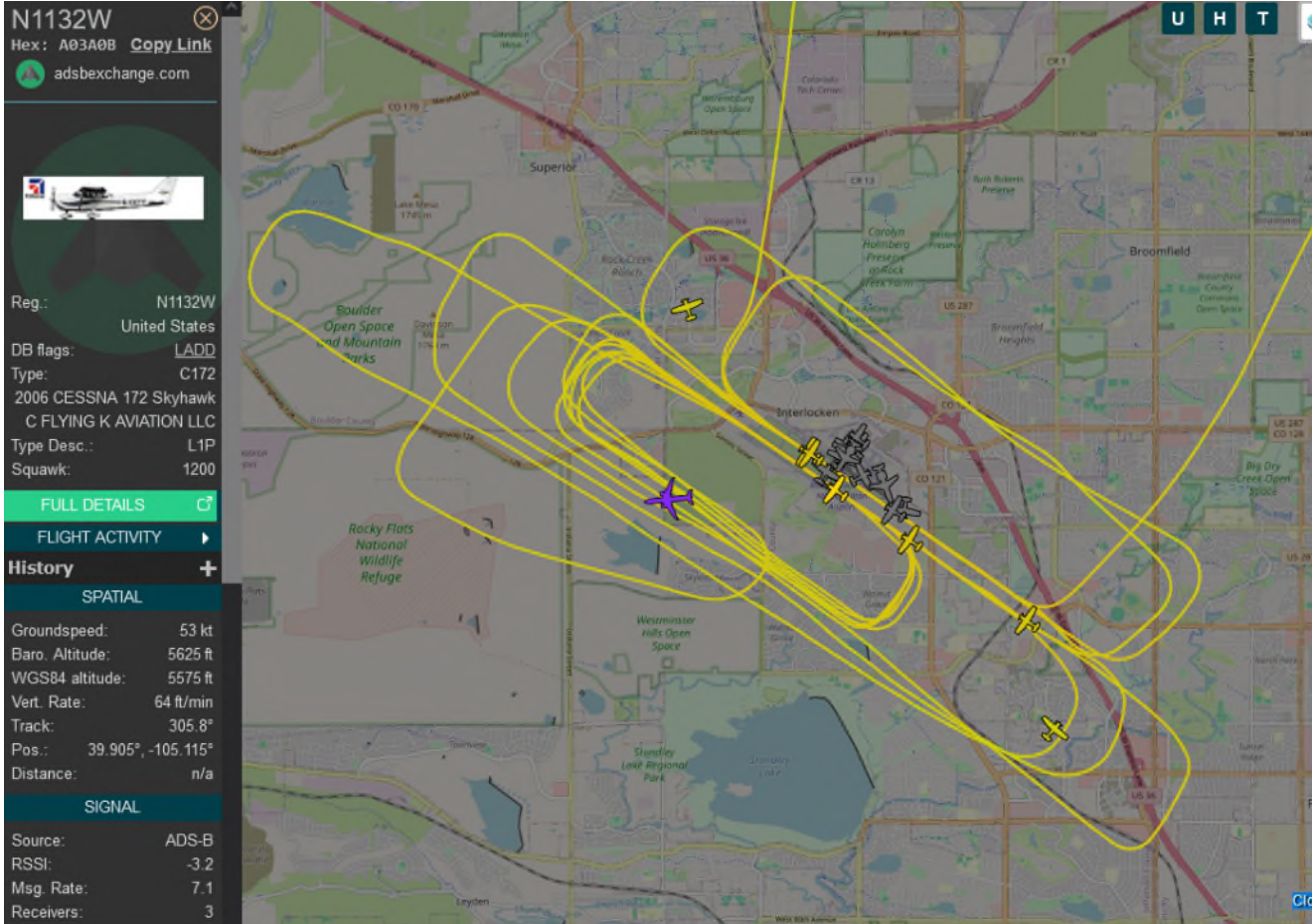


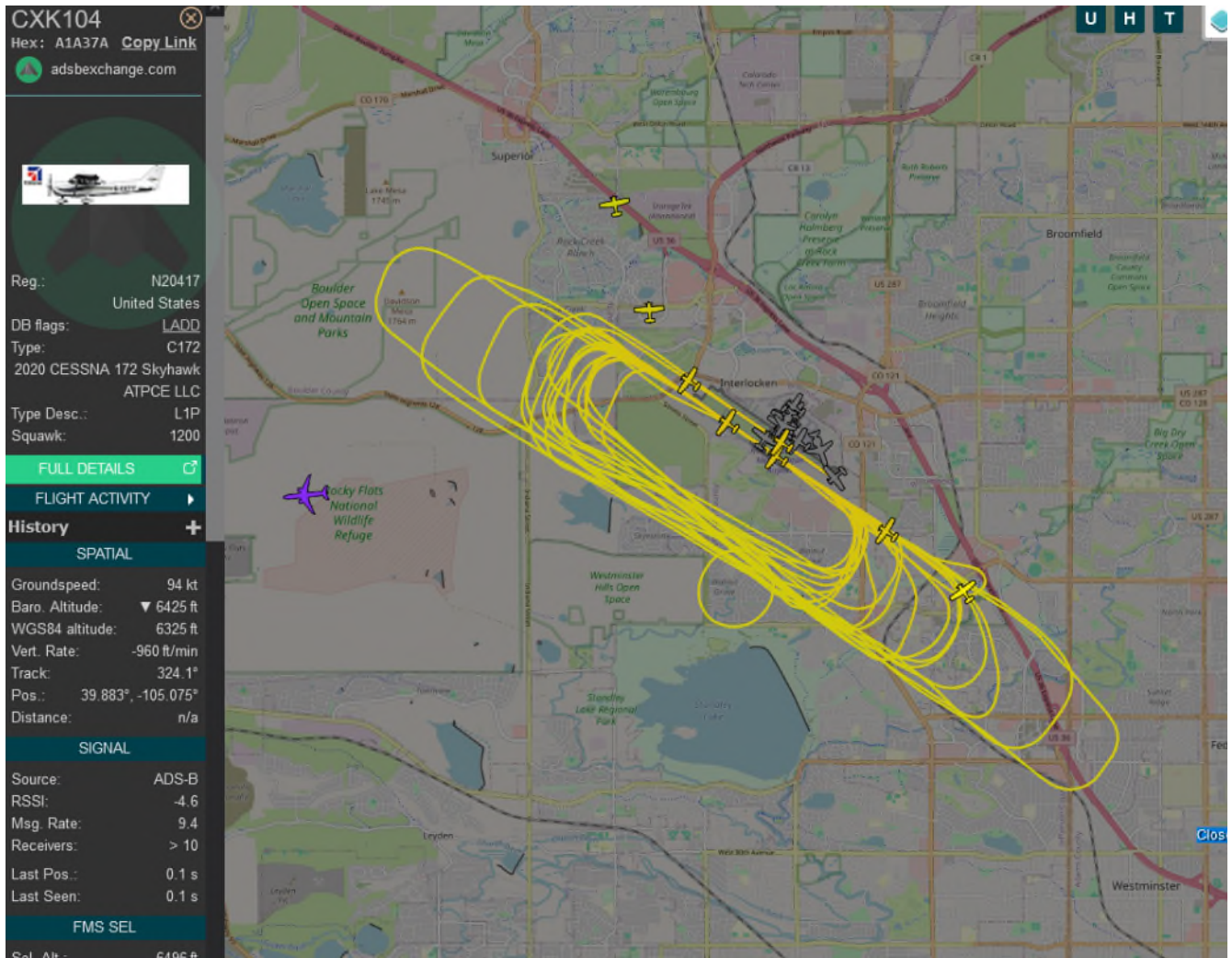
HB24-1235 Aviation ImpactMichelle w to dan.graeve@coleg.gov, kyle.brown.house@coleg.gov, shannon.bird.house@coleg.gov, stephen.fenberg.senate@coleg.gov, senatorrachelz@gmail.com, marc.catlin.house@coleg.gov, meg.froelich.house@coleg.gov, tisha.mauro.house@coleg.gov, stephanie.vigil.house@coleg.gov, mandy.lindsay.house@coleg.gov, lisa.frizell.house@coleg.gov, jennifer.parenti.house@coleg.gov, don.wilson.house@coleg.gov, andrew.boesenecker.house@coleg.gov, Iman.Jodeh.house@coleg.gov, alex.valdez.house@coleg.gov 02/21/2024 10:22 AM Cc "Michelle w"

Greetings,

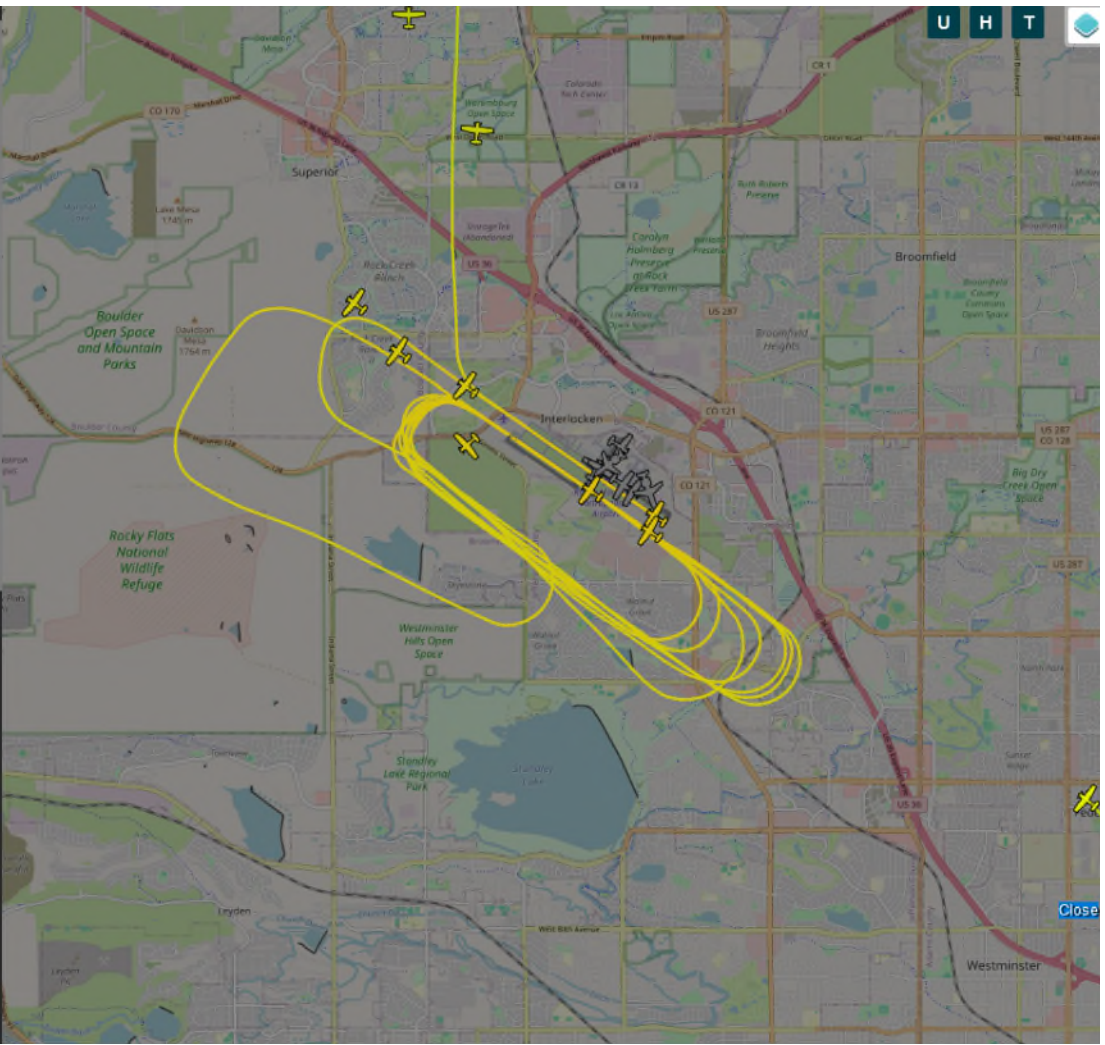
Please vote in favor of HB24-1235.

I have lived in Boulder County for 26 years and the **recent** air noise disruption particularly from RMMA is by far the biggest consistent disruptor to my daily life. Two am. Four am. Six am. Ten pm. Midnight and all hours of the day with NO regard for the people on the ground. Where are the rights of the people that live here? Where are the rights of the people that pay taxes? Where are the rights of the children trying to learn in schools? Where is the right of the child trying to sleep? Where is the right of the elderly trying to rest? Where are the rights of the people **working** and trying to hold meetings? It interrupts my sleep and my work. What gives pilots the right to fly at any time of the day or night? I'm not against air travel. I'm against touch and go activity. I'm against pilots flying simply because they want to and because they have the funds to do so. THIS is what is going on right now:





N522ND
Hex: A6918C [Copy Link](#)
adsbexchange.com



The map displays a flight track for aircraft N522ND in yellow. The track starts near Superior, CO, and proceeds south-southwest towards Interlocken, CO, where it performs several loops before heading east towards Westminster, CO. The map includes geographical features like Boulder Open Space and Rocky Flats National Wildlife Refuge, as well as major roads like US 36 and CO 121. Other aircraft are visible as small yellow icons on the map.

Reg.: N522ND
United States
DB flags: LADD
Type: C172
2009 CESSNA 172 Skyhawk
SPARTAN EDUCATION LLC
Type Desc.: L1P
Squawk: 0465

FULL DETAILS
FLIGHT ACTIVITY
History

SPATIAL

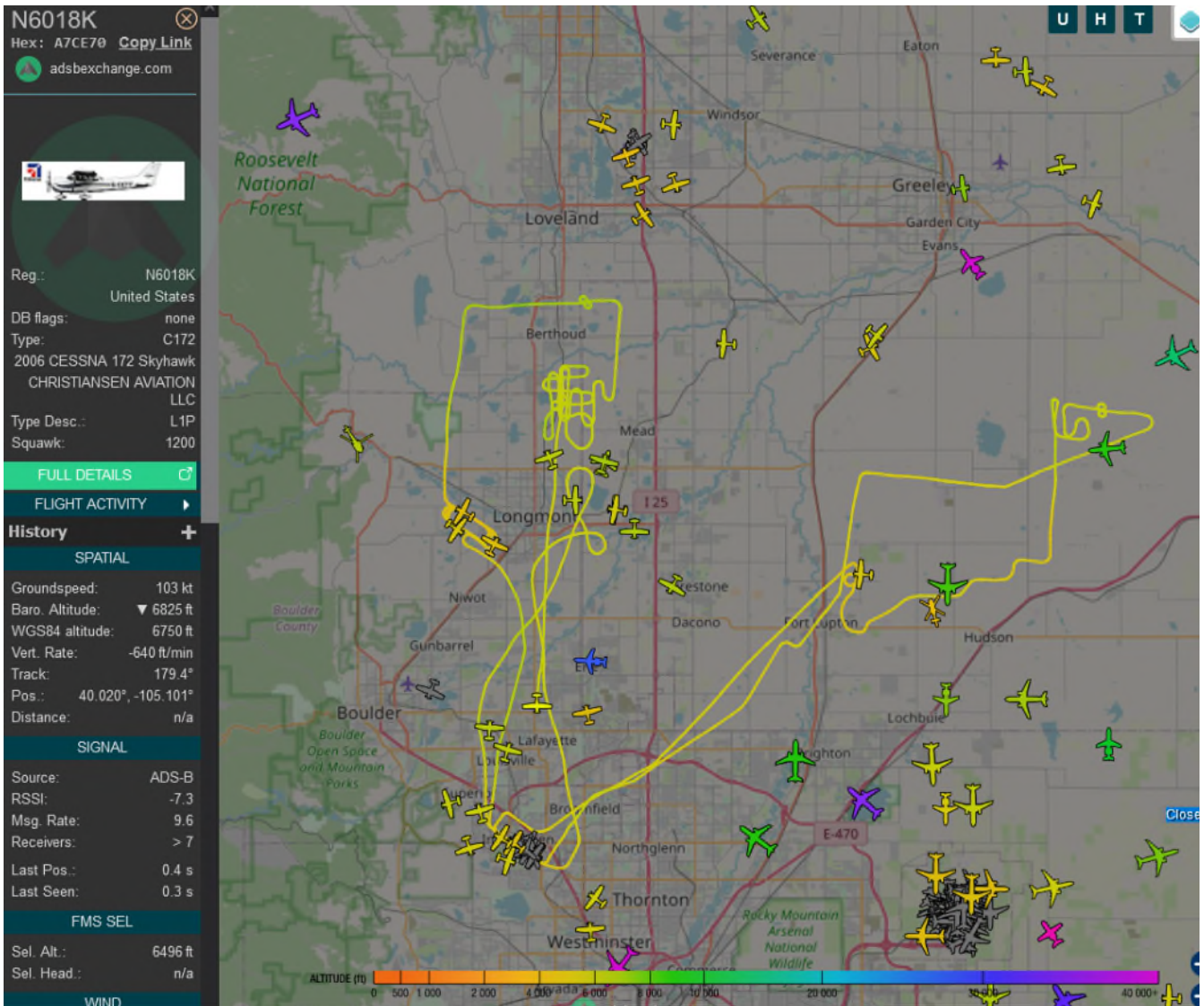
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Baro. Altitude: 7050 ft
WGS84 altitude: ▼ 6975 ft
Vert. Rate: -128 ft/min
Track: 307.6°
Pos.: 39.861°, -105.022°
Distance: n/a

SIGNAL

Source: ADS-B
RSSI: -6.6
Msg. Rate: 11.8
Receivers: > 8
Last Pos.: 0.1 s
Last Seen: 0.1 s

FMS SEL

Close



If you live here.....and you are paying attention.....you understand. If you don't live here, I invite you to come for a visit, and then, imagine what it's like to live here. **Generally speaking**, the flight schools and those associated are entitled and abusive.

For your viewing:

<https://globe.adsbexchange.com/>

[ADS-B Exchange - track aircraft live](#)

ADS-B Exchange - track aircraft live - aircraft flight history
 globe.adsbexchange.com

Sincerely,
 Michelle Wilkes
 Louisville, CO



HB24-1235 needs amending!!! Jim Thomas - RE/MAX to stephen.fenberg.senate,
 judy.amabile.house 03/04/2024 02:00 PM
 Cc Jennifer.Uebelher, dan.graeve

Stephen, Judy, et al.

I am a pilot and aircraft owner that lives in your district in Boulder, CO. I feel compelled to write after reviewing HB24-1235.

I received my pilots license in 1990 prior to moving to Colorado. I was the president of the CU flying club while attending CU Boulder and worked at the Boulder airport as a lineman guiding planes and refueling them while in college. I received my Multi Engine and Instrument ratings while attending CU at the Boulder Airport. Ultimately I graduated from CU with a BS and ultimately a MS in Aerospace Engineering here in Boulder. My aviation related career had me working as an engineer and air safety investigator at Cessna Aircraft Company in KS and as an engineer at Boeing in WA before returning to Boulder to raise my family. Subsequently I am now a Real Estate Broker helping people make transitions in and out of our communities.

Like most infrastructure in communities most people don't fully appreciate what these community assets bring until they break down or are removed. As a real estate broker I make sure people know if they are moving next to an airport, busy road, train tracks, schools, etc because these decisions can affect people's lives and they aren't always obvious. Related to aviation I feel our airport network in this state is vital and provides benefits that are under appreciated. My philosophy has always been to be a good neighbor and be respectful of others. This applies to my flying, use of the Boulder airport and other airports in the state. I am not under the delusion that we can make everyone happy but I know a large part of the aviation community wants to operate in harmony with our neighbors.

I see some important community issues that this bill attempts to tackle.

1. Leaded Fuel: I don't want lead in aviation fuel and the FAA has a plan to implement a replacement that is safe by 2030. As more demand is created for unleaded fuel the private sector will step up and make the transition happen faster. An initiative to subsidize unleaded fuel in the state of Colorado would create higher demand for the providers and help motivate them to transition faster. Taxing leaded fuel only hurts those that want to transition but can't and doesn't send any signal to the manufacturer encouraging them to transition faster. Maybe buying unleaded aviation fuel at the state level would put us ahead of other states and highlight the demand and our serious desire to transition to unleaded aviation fuel.

2. Noise: Arbitrary noise limits and restricting operations is a slippery slope. Education is key for these issues and can help pilots operate in a more community sensitive way especially if we start early with them and make it part of flight training. From a real estate brokerage point of view I think more has to be done to ensure home buyers know what they are getting into. Currently, unless a real estate broker mentions it, a buyer might only catch that they are in an aviation influence zone if they are digging through their title work but most don't really get into the details. A more comprehensive approach to educating will yield the best long term results when it comes to noise. Boulder airport has done a great job of educating our local population. Most of the noise complaints we get at the Boulder airport aren't from the local pilot but pilots from other communities that aren't aware of our community goals to reduce noise on non filers. Not sure I know any pilot that wants to inflict harm

on people. With more information communicated in better ways, we can tackle the noise issue head on and make some real progress.

I think these are the two primary issues that are at the root of the bill. I believe that common ground can be found in an amended version of this bill that doesn't seek to break a system that is intentionally slow and methodical for safety reasons. Aviation plays a significant role in our Colorado communities by providing access to rural areas, tourism, business flights, forest fire fighting, medical flight for life, agriculture, search and rescue, pilot training, etc... All this activity at our ~70 airports supports 345k jobs and provides \$45 billion+ of economic benefit that shouldn't be underestimated.

As a Colorado Pilot I am ready to transition to unleaded fuel if it was available to me. I will also continue to operate in a noise sensitive way to be a good neighbor. Most pilots I know feel the same but more can be done to educate pilots and the community members. This bill highlights the issues but provides the wrong solutions and threatens to harm our communities in the interim. Right idea, wrong approach.

If you got this far, thank you for hearing me out.

JIM THOMAS, MBA | 720-317-9621

Jim@ThomasRatay.com | www.ExploreFrontRange.com
RE/MAX Alliance 1911 11th St #200, Boulder CO 80302

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HB24-1235- Reduce Aviation Impacts on CommunitiesBill Ward to dan.graeve
03/03/2024 03:10 PM

Dear Transportation Committee,

I am a Certified Flight Instructor and am employed at Centennial Airport, in both Arapahoe and Douglas County. I am a Colorado resident and strongly encourage the transportation committee to veto and abandon the proposed house bill 24-1235, also known as the Reduce Aviation Impacts on Communities for several reasons.

The biggest reason is because the provisions in the proposed bill seem to be at odds with federal law, and a lot of the requirements seem to be precluded by federal law. Federal regulation is clear, that at a public airport, the local and state governments can not tell pilots how to fly or when to fly, and the state government can not preclude an airport sponsor from applying for federal grants for not enforcing a voluntary noise abatement program. How to you force local airport authorities to enforce a “Voluntary noise abatement procedure?” From the way I see it, if passed as is, these provisions will force local governing bodies and airport authorities into federal court for years, wasting millions of tax payer dollars.

Most pilots, including myself, support the move to unleaded aviation gas. We recognize the dangers imposed by lead. All of my students are training to be professional pilots. Airline pilots, medical evacuation pilots, etc. Imposing additional taxes on 100 low-lead (100LL) fuels will only make aviation careers more unattainable for middle class families.

The tax credit created by this bill, to incentivize owners to certify their aircraft for unleaded fuels don't do enough to combat the costs of this conversion. In California, where some county governments have banned the sale of leaded fuels, the unleaded replacement products carry a cost of roughly \$2 dollars per gallon more than traditional aviation fuels. Considering most training aircraft burn around 10 gallons of fuel per hour and most pilots receiving their training to pursue a career in aviation will fly for 250-300 hours in a flight school, this higher priced product could make flight training \$5,000-6,000 more expensive. For many families, this will make aviation careers inaccessible.

Furthermore, wanting to creat a board of non-pilots and directing that its composition of this board be of a particular racial, ethnic and gender makeup is interesting. This creates a dangerous precedent to exclude people from this board. Not only that, adding 2 seats to this board that is only for people that live near busy airports excludes everybody else from all over the state. The state aeronautics board represents the entire state, not just the residents of 2 airports, that are disproportionately from a higher income bracket.

For these reasons, I ask that the bill be vetoed as written or heavily amended to protect the interests of ALL Coloradans from all income levels who are pursuing aviation careers. To protect all people of Colorado, regardless of race, income level, or gender discrimination in the boards it creates funded by tax increases.

AVIATION CAREERS SHOULD BE ACCESSIBLE TO ALL PEOPLE!

I do have one question:

What is the state government doing to combat the very inappropriate local residential zoning around airports? In the past, the FAA and local airport authorities have written to local municipalities multiple times in the past and present warning them that if they choose to build houses inappropriately close to an airport, the issues of noise complaints will come up. It's completely ridiculous and reckless and it should be illegal to zone homes and apartments this close to an airport. For example, the distance the homes and schools are to runways 17L and 17R at Centennial are inappropriate, reckless, and dangerous. Centennial and Rocky Mountain Metro airport use to exist in the middle of nowhere, now it's surrounded by residential structures that are inappropriately close to the airport and runway environment. When you build next to an airport that was built away from people's houses, what do you expect to happen? These homes close to the airport also are taking away emergency landing spots.

If you have any questions, please do not hesitate to reach out to me. I would also request an answer to my above question and an explanation from your side to my above points.

Thank You,

Bill Ward
Certified Flight Instructor
Commercial Pilot (ASEL & AMEL)
703-772-7227

I have been a Colorado resident since 1989, a homeowner in Superior / Rock Creek of 5 different houses over the years, and a pilot based at RMMA since 2016. As a prior homeowner in Superior and an aircraft owner and pilot, I feel that I have a balanced perspective on the issues being addressed in HB24-1235. I would like to work together with you to ensure OUR great airport continues to be a thriving economic engine for the community as well as a facility which the rest of the country admires and respects.

This bill has some excellent merit, in the areas of encouraging the safe introduction of Unleaded AVGAS, As an engineer, I can tell you that Swift fuel is not a viable solution for many aircraft (approximately 1/3 of aircraft cannot use Swift). However, the industry is developing unleaded fuels which will be 100% usable across the fleet. This bill should encourage and support the SAFE introduction of 100% drop-in fuels. The Bill should not force adoption of fuels which aren't ready and proven to be safe. The last thing I would want to see is an aircraft engine failure on takeoff from RMMA due to improper fuel usage. The impacts of forcing the introduction of fuel which is not 100% proven could be far worse than anything being "impacted" in the current scope of the bill.

Secondly, other aspects of this bill which introduce governance to prevent and mitigate noise and lead are inappropriate (because such issues are a matter of Federal law) and could ultimately decrease safety at the airport by altering flight patterns from those developed by the Federal Government and proven to be safe. I can share with you that each time I purchased a home in Superior, I was presented with a notification that I was knowingly purchasing near an active airport, and that airport is governed by Federal regulations.

In addition, imposing additional taxes on aviation fuel is a punitive measure, simply a thinly veiled attempt to "make those little airplanes go away". Such a tax will have negative economic impact on the airport and the surrounding community which thrives due to the economic stimulus of our vibrant airport.

In summary, I urge you to AMEND this bill to SUPPORT the safe and thoughtful introduction and support of UNLEADED aviation fuel, but REJECT or MODIFY any aspects which interfere with FEDERAL GOVERNMENT jurisdiction.

As a final note, I can share that pilots from across the country have contacted me asking about this Bill. I am sure that the entire country will be watching to see how these issues are resolved.

Sincerely,

Matthew Beckner
Arvada resident, former Superior resident
Private Pilot with Instrument Rating
Aircraft Owner at RMMA



HB24-1235 Jeffrey Barnow to judy.amabile@colleg.gov, jennifer.uebelher@state.co.us,
dan.graeve@coleg.gov 02/25/2024 01:08 PM Please respond to "Jeffrey Barnow"

Hello,

Please vote NO for HB24-1235 as it would destroy aviation and cost many taxpayers employment in the state of Colorado.

Sincerely,
Jeff

Jeff Barnow
303.641.9694



HB24-1235Jim Lambert to dan.graeve 02/25/2024 02:33 PM

2/25/2024

Colorado Legislators

I am contacting you in regards to **HB24-1235** this is an attack on Colorado aviation in all forms. It has no value in fact and would only hurt the grater population of Colorado. I understand that a few residents of the metro area are upset with some of the normal operations of an airport. I remember as a younger person the noise of the Stapelton airport of Denver. It had a flight path directly over our home. It was there when we bought the home and it stayed there until Denver Int. was built. Sometimes the noise was so loud that we could not talk outside when they passed over. Some time we could even smell the burning jet fuel. But it did not occur to us to compline.

The folks that are complaining now had the opportunity to not purchase a home in that location. The airport had been there for decades! It could not have been a secrete! Testing has been performed that does not support their clams of LED from aircraft fuel. The fuel that is used is Low Led compared to the past. Aircraft are much quieter than in the past.

The TAX

I know that taxes solve every thin in a small-minded bureaucrat. But changing the fuel or adding a big tax in not the correct process. Fuel is \$7 or more in many places in Colorado. Going to a non-proven fuel tant may cost the lives of pilots, passengers, the folks on the ground, and the fires responders, is not a good idea. As of now no alternative has proven successful in reliability or mechanically acceptable to the engines.

As a pilot and aircraft owner our costs are quite extreme now. But we take our aircraft health and the welfare of our passengers verry seriously. Some engines are allowed to use auto fuel. But most pilots have found that the increased cost does not offset the safety of the lives in our hands. Pilots are conservative people. They look at things from many directions to protect their flight. Weather, time of day, airport operations, airport facilities, aircraft loading, aircraft ability, fuel consumption, passenger comfort and safety, and more.

I respectfully submit this to try and inspire you to drop the unreasonable House Bill. Support our airports and the families that depend on them.

James Lambert

12501 Everett Way

Sterling Colorado.

HB24-1235

Catharina Duggan to judy.amabile.house

02/24/2024 01:07 PM

Cc jennifer.uebelher, dan.graeve

Dear State Representative Judy Amabile,

I am emailing to let you know that I am opposed to the airport legislation HB24-1235. As I read the bill it appears to me to give too much control over airports to a small group of individuals who I am afraid will use the laws to close or severely limit airports.

Having said that, I agree with some of the noise issues that I have read about and would be in favor of sensible rules case-by-case and airport-by-airport to address noise to reasonable hours including holidays.

I don't understand the tax on leaded fuel since that is a Federal Aviation Administration (FAA) issue. I understand that the FAA has not approved 100 octane fuel alternatives to the leaded 100 octane fuel. Airplane engines that use 100 octane fuel can only use 100 octane fuel or their engine will not run properly. Making 100 octane leaded gasoline more expensive for the pilot will not push the pilot to use an alternative because it is not possible to find a non-leaded alternative. The only solution is to push the FAA to work with the fuel industry to develop and approve an unleaded fuel alternate.

Thank you

Mike Duggan
1590 Lehigh St.
Boulder, Colorado

Distinguished Committee Members,

As a Colorado pilot, I have concerns with the recently introduced HB1235.

I am in favor of the safe transition away from leaded aviation gasoline, as soon as a safe, viable unleaded fuel is approved and made commercially available. I also believe we should reduce noise impacts on those who wish to live near airports, to whatever extent is safe and possible.

With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.

First, I do support the provision to allow the Aeronautics Division to fund a grant to airports to help with infrastructure needed to accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available, as well as the proposed tax credit to help aircraft owners obtain required STCs in the interim. Also, I support allowing the CAD to subsidize the price differential between unleaded fuel and the currently available fuel as this is the most helpful thing the state could do to smooth the transition.

However, much of the rest of the bill is problematic. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law as regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc.

The general aviation community believes that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or backgrounds is dangerous. The CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters.

Finally, I am deeply concerned with the proposed fee of up to 50 cents per gallon on avgas. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there is no commercially available and approved 100-octane unleaded fuel available. Many pilots will simply buy fuel in other states, but Colorado based businesses that use piston aircraft and do not have that option will be very negatively impacted, as will Colorado-based fuel distributors, FBO's, etc.

Among the most negatively impacted will be flight schools, who would have to pass the cost along to their students, which I am currently. This will increase the debt load on

prospective new pilots, and may discourage many from completing their training, in turn exacerbating the critical pilot shortage this nation is facing.

I hope that you will continue to listen to the aviation community in your districts, and to your constituents who will be negatively impacted by parts of this bill. I urge you to retain the "carrot" pieces, and remove the "sticks". As always, I remain committed to being good a neighbor and to continuing to discuss these issues.

With gratitude,

Eric Palumbo

Date March 5, 2024

To: Colorado House Transportation, Housing & Local Government Committee

RE: Public Hearing on House Bill 24-1235

Dear Committee Members:

I am a Colorado pilot and own a 1/3 share of a small plane based here in Colorado, and am concerned with this recently introduced HB1235.

I am aware of the concerns Coloradoans have of the leaded fuels still being used in small aircraft such as the one I fly, and support reasonable efforts to safely, and economically transition to unleaded aviation fuels. However, as a pilot and user of the wonderful US aviation system and infrastructure for nearly four decades, I am worried that many of the provisions of this bill will make continuing to fly either unsafe, or too costly.

I do support the provision to allow the Aeronautics Division to fund grants to airports to help with necessary infrastructure to accommodate the lower octane unleaded fuel that is now available. My understanding is that the “nearly here” 100 octane fuel will be a “drop in” replacement for the 100LL fuel it will be replacing, and will be able to be handled with existing infrastructure. Support for the required STC’s to use the new fuels, and some subsidy to the price differential of the fuel is also welcomed.

However, I encourage the bill sponsors to continue working with the aviation community to amend the bill to remove or modify the provisions that severely harm pilots and aircraft owners like me, namely:

1. The proposed 50 cents per gallon fee (tax) on avgas (I am ready and willing to use the 100 unleaded as soon as it is available – why should I have to pay a fee to use the only fuel that is currently available??)
2. Placing non-aviation members on the Colorado Aeronautic Board. Having members with no aviation interest or background goes against the purpose of the CAB to direct funding for airport improvement and infrastructure, and to promote aviation safety in the state.

3. The provisions calling for policies and plans to “prevent and mitigate” lead and noise go against federal law since regulation of airspace is exclusively the purview of the FAA.

The aviation community is working hard to bring unleaded fuel safely and systematically to market. 94UL is here, now. The G100UL is not far behind. It took many years to phase out the use of leaded fuel in automobiles, it seems the Federal Aviation Administration’s phase out date of 2030 for leaded aviation fuel is reasonable, and achievable without action by states and/or municipalities.

Best Regards,

A handwritten signature in blue ink, appearing to read "Glenn Hertzler".

Glenn Hertzler
Colorado Pilot

816 GCR 494 B0761
Grand Lake, CO 80447

Oppose HB24-1235

Eric Schmiedel to rod.pelton.senate, rod.bockenfeld.house

02/29/2024 03:05 AM

Cc Jennifer.Uebelher, dan.graeve

Hello,

My name is Eric Schmiedel and I am writing you to urge you to oppose HB24-1235. For context, I am an avid skydiver who has already lost two great dropzones. I am also an 18 year resident of Parker, with 15 of those years spent in the direct flight path of Centennial Airport.

While this bill may have good intentions at heart, there will be unintended side effects that harm an industry and sport that is already under seige. The incentive to have aircraft & airport owners switch from leaded to unleaded fuels does make sense. However, this bill also attempts to impose noise limitations upon airports that are unnecessary and unwarranted.

Yes, aircraft are loud. However, this is not the fault of aircraft owners or airport operators. Many municipal and commercial airports have existed in the same locations for decades. It is land developers and home builders who chose to build residential dwellings closer and closer to airports. For residents to move into an area near an airport and then complain about aircraft noise is, frankly, the fault of the resident.

I know that housing is unaffordable for many. Real estate prices (among other necessities for living) are constantly rising with zero relief in sight. I truly understand the need to build more homes & residential dwellings, and the fact that when these airports were established, they were considered "in the middle of nowhere". Now, "nowhere" has become "somewhere". That isn't the fault of aircraft owners and airport operators. Punishing them with noise limitations is equivalent to purchasing a home and then 10 years later being told you can no longer use your stove after 7pm.

Please, I urge you to reject this bill in its current form. A "noise mitigation plan" is wholly unnecessary. When you live near an airport, you're going to have aircraft noise. The airport was there first, and has a right to continue operations. Appointing non-pilot community members to the committee is just more "blind leading the blind". Committees should be made up of experts in the field, not inexperienced people with a grudge.

Thank you for your time.

-

Eric Schmiedel
303.525.9061



OPPOSE HB24-1235 Kevin Bennett to Jennifer.Uebelher, dan.graev,
sonya.jaquez.lewis.senate, karen.mccormick.house 02/26/2024 01:31 PM

I am writing to you today to urge you **not** to support the passing of HB24-1235. This policy is flawed in its current form and quite frankly is unfair, arbitrary, and capricious. The bill states in section IV (c) that “Peer-reviewed research indicates that children who live near general aviation airports and commercial airports at which there is significant general aviation activity have elevated levels of lead in their blood and that blood lead levels in children under five increase as levels of atmospheric lead increase”. If this statement is based on

the Zahran (Santa Clara) study of 2022 ^[1], it should not be used as factual evidence against any airport under the scope of this bill. This particular study used old (geo traced) blood samples and assumptions on other sources of lead poisoning that could have impacted the results. Please remember, correlation does not mean

causation. Additionally, a study from Public Health of Madison and Dane Counties ^[2], finds **no evidence** linking lead exhaust from their airport as a contributor to elevated blood lead levels in children. This study cites that many other sources of lead exposure are present and must be accounted for. If this bill is primarily or partly being generated out of a legitimate concern, please provide evidence specific to our region for this claim. This strong uncompromising position is interesting considering the repeated issues involving Suncor in Commerce City and their flagrant disregard for our existing laws and the fact they are allowed to continue operations that are unsafe and environmentally threatening.

On the issue of noise abatement, this is truly the most mind-boggling part of the bill. I do understand that communities grow and change, however, when speaking out against an entire industry that is depended on by the very complainants it does not make sense. Why are the complaints not associated with any verifiable evidence? Most cities already have noise ordinances. Have the claims been compared to those already existing? Limiting touch and go’s and hours of operation is a completely unreasonable request for a couple of reasons. Landing an airplane is the most dangerous part of aircraft operation. Touch and go’s are the only way to learn the different scenarios a pilot could face during this critical phase of flight. Practicing these techniques is the only way that pilots can become proficient. The highest amount of noise pollution during this phase of flight would only occur at the airport and dramatically diminish as the aircraft gains altitude. Full power in this operation of the aircraft is limited only to the initial climb out and not the downwind, base, or final approach legs. Limiting the hours of operation of an airport presents an undue safety hazard as it eliminates a place for landing if the situation deems it necessary. If not directly prohibiting it, a pilot would have to consider what their penalty would be for landing an aircraft during non-operational hours?

This bill enacts law that has not been democratically or deliberatively constructed. It responds to the loudest voices and not the majority. It does not properly address unintended consequences and treats aviation as an elitist hobby rather than an industry that provides economic benefits throughout the community. It has eliminated input from industry experts and is self-serving to the agendas of only a few. This law would have a rippling effect on the economy, future aspiring pilots, tourism, emergency flight operations, among others. Rocky Mountain Metro employees hundreds of individuals. The field contains wildfire operations, a major aircraft manufacturer, and flight schools. Boulder Municipal Airport serves as hub for wildfire operations, flight for life operations, open space management air operations and scientific air operations. Vance Brand in Longmont serves flight training, yearly air national guard training, as well as commercial operations. Please do not let the poor choice of responsible adults that moved to an area with an airport have such a devastating blow to our economy, many individual’s livelihoods, or the freedom of flight that we as Americans are so blessed to exercise.

Thank you,
Kevin Bennett - Voter
2450 Airport Rd. Unit H172
Longmont, CO 80503

[1] Zahran, S., Keyes, C., & Lanphear, B. (2022). Leaded aviation gasoline exposure risk and child blood lead levels. *PNAS Nexus*, 2(1). <https://doi.org/10.1093/pnasnexus/pgac285>

[2] Lafferty, J., Grande, K., Hausbeck, J., & Koenig, B. (2022, December). *Assessing childhood lead poisoning risk from Middleton Municipal Airport*. Middleton Airport Lead Report. https://publichealthmdc.com/documents/middleton_airport_lead_report.pdf



Opposition to HB24-1235 Matthew Seymour to 02/24/2024 08:18 PM

1 Attachment



Summary of Economic Impact of GA in Colorado, Alliance for Aviation in America[1].pdf

Hello,

I am writing to voice my opposition to House Bill 24-1235: Reduce Aviation Impact on Communities. I am an Arvada resident, a life long Coloradan, a professional pilot and an aircraft owner. I oppose this House Bill.

Aviation in Colorado is under attack with such bills if they become law. I believe the title of the bill says it all. It will impact our community; negatively. Aviation is an economic engine. One that fuels investment in our community. If we allow such bills to pass, that business will go elsewhere. I have attached a summary of the economic impact aviation has in American communities for your reference.

I've been flying for more than 25 years and such legislation has been suggested many times before. In places they have passed, a negative economic outcome has followed.

Please add your support to our important aviation community and oppose this bill.

Matthew Seymour

matthew.john.seymour@gmail.com

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 19 USC 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This communication may contain confidential and privileged material for the sole use of the intended recipient and if received by anyone other than the intended recipient does not constitute a loss of the confidential or privileged nature of the communication. If you are not the intended recipient, please contact the sender by return electronic mail and delete the email without reading, copying or disclosing the email contents.. If you are not the intended recipient and intentionally intercept or forward this message to someone else, you may be subject to criminal and/or civil penalties. See also 18 U.S.C. 2511 et seq.



Please oppose HB24-1235 David Seymour to dan.graeve@coleg.gov 02/24/2024 02:59 PM

I am both a professional pilot and an aircraft owner and oppose this House Bill.

Aviation in Colorado seems under attack with such bills if they become law.

I've been flying for more than 50 years and such suggested legislation has been suggested many times before.

Please add your support to our important aviation community and oppose this bill.

Regards,

David E. Seymour

303-908-3147

HB24-1235--- "MEASURES TO REDUCE THE IMPACT OF AVIATION ON SURROUNDING COMMUNITIES" would:

-Set arbitrary noise limits, restrict touch and goes, and restrict hours of operations for all Colorado airports

-Require state board approval for all future FAA airport grant applications

-Block airports from grants if they do not meet new state noise limits

-Add two designated seats to the Colorado Aeronautics Board for metro Denver noise activists

-Add a \$.50/gal tax on 100LL to restrict its use

Ladies and gentlemen of the committee,

I want to begin by expressing my gratitude to the sponsors for their receptiveness to the concerns of the Colorado aviation community. Their efforts have resulted in significant improvements to the bill, addressing language conflicts with federal law, minimizing unnecessary costs for local businesses, and safeguarding the vitality of the aviation industry.

I urge the committee to support the proposed "strike below" amendment, a crucial step towards further refining the bill. This amendment aligns with the objectives of the Colorado aviation advocacy coalition and reflects our shared commitment to enhancing the legislation.

It's essential to recognize the substantial economic impact of the Colorado aviation industry, generating \$48.6 billion in revenue and supporting 345,000 jobs, as highlighted in a 2020 study. Moreover, amidst a severe pilot shortage nationwide, our local flight schools play a pivotal role in addressing this shortfall, underscoring the importance of nurturing and supporting these institutions.

I am resolutely committed to transitioning away from leaded avgas in a safe and federally approved manner. I eagerly anticipate the development of a safe drop-in replacement and remain steadfast in our dedication to environmental responsibility and safety.

Furthermore, I acknowledge the importance of being good neighbors within our communities and support financial incentives outlined in the "strike below" amendment to facilitate the transition to unleaded fuel for airports and aircraft owners.

I appreciate the amendments recognizing the exclusive federal jurisdiction over airspace and the importance of ensuring equal access and operations at public use airports. Additionally, I commend the inclusion of knowledgeable members on the Colorado Aeronautics Board (CAB), essential for addressing airport infrastructure funding and aviation safety.

While acknowledging the improvements made, I emphasize the necessity of a comprehensive understanding of the industry, aviation safety, and airport infrastructure for CAB appointees. I also stress that any mandate regarding the elimination of unleaded avgas must be approached with caution, ensuring that an approved and widely available alternative is in place before implementation.

In conclusion, while there may still be details to iron out, I am optimistic about the trajectory of the bill, particularly with the recent amendments. I believe that with continued collaboration, the bill will evolve in a positive direction, benefiting both the Colorado aviation community and the state as a whole.

Thank you,

Andrew Brayton

Good afternoon. Thank you, Chair Froelich and members of the committee for the opportunity to testify today.

My name is Stephanie Shalosky and I am a Boulder county citizen who resides in Superior. I am asking for you to vote yes on HB24-1235.

We moved to Superior, Colorado in April of 2011 with our young 4 month old son. We immediately fell in love with the community and its surroundings. We never imagined moving away from our home and the community we love until the last year.

My husband graduated from CU-Boulder with an Aerospace Engineering degree with a single engine pilots license. I share this with you so you know we are not anti-airport/aviation citizens.

As we approached last summer, we realized the entire community of Rock Creek and surrounding cities (Superior, Louisville, and Lafayette) were inundated with low pattern flying single and twin engine aircraft during the majority of daylight hours. With some aircraft operations continuing into late evening hours (waking us up several times around 3 am). Unfortunately, we learned several out-of-state flight schools started operations at KBJC.

Now, we do not enjoy our back yard or walking around in our beloved neighborhood. The aircraft are so constant and loud it is hard to work and concentrate from home. My children attend their local BVSD schools right underneath the touch-and-go flight path of KBJC's south runway, where at times of the day a loud, low-flying aircraft, crosses the sky every minute. I fear for my children's health as hundreds of low-flying aircraft using leaded-fuel fly directly overhead, day after day, both over our home and while they are at school.

The Jefferson County airport has been found legally in violation of their aviation easement agreement with many of my neighbors in Rock Creek. Since that court ruling, airport operations over Rock Creek have increased dramatically. The experience of living here is unbearable at times. It feels unjust that a government municipality and private businesses can infringe on the quiet enjoyment of a densely populated community. How can a county airport in clear violation of avigation easements continue to receive federal and state funding for further expansion?

We ask for your help and that you would vote in favor of HB24-1235. Any and every effort to help Colorado citizens who are suffering from lead and noise pollution due to un-neighborly airport and county leadership is greatly appreciated.

Thank you for your time.
Stephanie Shalosky

Vote NO on HB24-1235

Rob Range to junie.joseph.house

02/25/2024 09:42 AM

Cc Jennifer.Uebelher, dan.graeve

I am a voter in your district and urge you to vote NO on HB24-1235.

Thank you for your consideration,
Rob Range

House Transportation, Housing & Local Government

03/06/2024 01:30 PM

HB24-1235 Reduce Aviation Impacts on Communities

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Brannon Richards For themselves	<p>Dear House Transportation, Housing & Local Government Committee,</p> <p>As part of the Colorado Transportation, Housing, and Local Government committee, I want to express my strong desire for the Committee to VOTE YES to HB24-1235 - Reduce Aviation Impacts on Communities.</p> <p>This bill is a great step to address the negative impacts aviation (primarily small training propeller planes) are having on local communities and residents. As a Colorado resident who lives near Rocky Mountain Metropolitan Airport (RMMA) we are constantly negatively impacted by plane noise. Currently, there are 10 training planes flying feet above our home doing touch and go's, making passes above our home seconds apart. The noise from these training flights starts at 6:30 am and continues until 10 pm every nice weather day, often 7 days a week. It has gotten so bad that we hope for bad weather so we don't have to bear the noise, frustration, and possible lead exposure each day.</p> <p>The noise is one frustration, but knowing old planes are flying around with leaded fuel hundreds of feet above our home doing multiple laps is more than concerning, especially since we have two young kids who not only live under the flight paths, but also go to school at Eldorado K-8 which is also directly under the training flight paths. There is no denying the planes flying around with leaded fuel are depositing lead into the environment, the only question is how much of this is being consumed by residents and visitors around these airports and flight paths and what are the long-term consequences. As an American Citizen, I cannot comprehend why leaded fuel was banned in vehicles decades ago because of the health effects, but for some reason is still allowed in planes. Why do we turn a blind eye to planes and leaded fuel, I can only assume it is driven by money and</p>

	<p>greed, but I am glad to see Colorado is addressing this issue in this bill.</p> <p>Again thank you for carefully reviewing this bill and we remain hopeful that this bill will get approved.</p> <p>Brannon Richards Superior, Colorado Resident</p>
<p>Lana Richards For themselves</p>	<p>Hi,</p> <p>As a resident of Superior, CO, I want to express my strong desire for the Committee to VOTE YES to HB24-1235 - Reduce Aviation Impacts on Communities.</p> <p>This bill is a great step to address the negative impacts aviation (primarily small training propeller planes) is having on local communities and residents. As a Colorado resident who lives near Rocky Mountain Metropolitan Airport (RMMA), I am constantly negatively impacted by plane noise. Currently, there are 10 training planes flying feet above our home doing touch-and-gos. The noise starts at 6:30 am and continues to 10 pm every nice weather day. I cannot carry on a conversation or concentrate on my work, when sitting on my back patio, or even inside my home with a door or window open on a nice day.</p> <p>The noise is one frustration, but knowing old planes are flying around with leaded fuel hundreds of feet above our home is concerning, especially since we have two young kids who not only live under the flight paths, but also go to school at Eldorado K-8, which is also directly under this training flight path.</p> <p>Again thank you for carefully reviewing this bill, and I remain hopeful that it will get approved.</p> <p>Lana Richards Superior, Colorado Resident</p>
<p>Barbara Hill For</p>	<p>Good Day Rep. Brown and members of the Committee.</p> <p>Thank you for reading my heartfelt testimony regarding HB24-1235</p>

<p>themselves</p>	<p>My name is Barbara Hill. My husband and I are 24 year residents in the Rock Creek community in Superior, CO. Our home is located in one of the RMMA easements that is affected by the continuous noise and pollution from RMMA</p> <p>Airplane traffic. In addition, because my backyard faces open space and south Mccaslin boulevard , I hear cars , trucks, motorcycles and construction vehicles! It would be nice to get a break from all the construction, but that's an issue for the Town of Superior!</p> <p>Though not a native Coloradan, I consider myself an honorary one as our family has experienced a massive flood, a catastrophic Marshall fire, constant construction and the ongoing growth, noise and pollution from RMMA!</p> <p>It is too much for the community and RMMA has been irresponsible, unethical and needs to be held accountable for its untenable growth with increased flight schools and commercial traffic. Its only a matter of time when Fed Ex starts flying over my house or there is another catasyrophic incident!</p> <p>I am not part of a condemnation lawsuit but a concerned citizen . Please make the honorable and responsible continuous and hold the RMMA, The FAA accountable and vote in favor of this bill.</p> <p>Thank you for your service.</p> <p>Sincerely,</p> <p>Barbara Hill</p>
<p>Matthew Schoomaker Amend themselves</p>	<p>Sir and Ma'am,</p> <p>I am a Colorado resident and aviation professional and general aviation hobbyist. I support Amendments to this bill in line with the position of AOPA also submitted for this hearing.</p>

	<p>I am particularly concerned by Section 8 verbiage which introduces noise mitigation language. This bill is effectively targeted at use of 100LL AVGAS and there is generally broad agreement within aviation communities that the transition to unleaded fuel is appropriate. I would prefer that this bill remain targeted at this issue alone, and noise be redacted.</p> <p>Noise mitigation is an extremely difficult topic, no different than controlling loud music in a college dormitory. Targeting airports as responsible entities for noise mitigation is setting up airports to fail. While airports can recommend noise mitigation practices and best flight routing they ultimately cannot control the action of pilots under the Code of Federal Regulations and the authority allowed to Pilots in Command of an aircraft.</p> <p>Thank you for your consideration on this matter.</p>
<p>Corey Yaspan Amend themselves</p>	<p>The general aviation system in the United States is the envy of the world. Imposing taxes on our system not only make it harder and more expensive to train pilots, it will make our skies less safe. Imposing these taxes on will only send our dollars to other states.</p>
<p>Joseph Lemma Against themselves</p>	<p>HB24-1235 is a bill prejudicial to aviation. Sections 3, 4, and 8 deal with forcing a shift to lead free aviation fuel. The success of that fuel is NOT guaranteed. Recently, the aviation department of the University of North Dakota abandoned its shift to that fuel simply because of a lack of confidence in its effectiveness and its delivery. Section 6 forces the addition of 2 seats on the Colorado Aeronautical Board to be occupied specifically by citizens with no vested interest in improving or advocating for civil aviation in Colorado. Sections 7 and 8 include funding limitations which (again) are based on an unapproved and unproven fuel supply, and a merely thinly veiled paths for communities to shut down pre-existing airports due to simple aesthetics. This bill is not friendly toward, or supportive of, aviation in Colorado.</p>
<p>Caleb Jahn Against themselves</p>	<p>I am against this bill almost in its entirety.</p> <p>Against Section 6: You are prioritizing people to a board that would inherently have a bias against aviation. At a potential 22% negative bias. Also Colorado airports were built before any of the housing was in place (i.e. people chose to live close to an airport). All metropolitan airports already take population density into effect and have</p>

	<p>procedures in place to mitigate (safely) any impact on the community.</p> <p>Section 7,8: Limiting funding to an economic engine like a metropolitan/general aviation airport is not the answer for cleaner energy. General aviation is a strong economic entity in our communities, if you have an airport that is expanding they funds available should not be tied to where they are or if they are pushing for "greener/cleaner" energy. Let the push for unleaded fuel be made elsewhere and not at the expense of current business.</p> <p>Section 9: There has been studies with no conclusive evidence of any negative impact. There is no need for any additional government spending on a new devision to over see this.</p> <p>Section: 3,4,8: These would only be needed if this bill passes. To have taxpayers pay for changes to aviation that are not needed, or wanted, is a miss appropriation of funds.</p>
<p>Joseph Linnebur Amend themselves</p>	<p>Thank you for the opportunity to share my views, and thank you for your consideration to hear the concerns of all of us aviation supporters.</p> <p>1) I (as well as others) am for the desire to transition to unleaded fuel in the future. There currently is a viable unleaded option (G100UL) but is still in the process of achieving the ability to be made in bulk quantity. Therefore, the aviation community is already moving in the direction of becoming lead free.</p> <p>2) The other sections of this bill would be disasterous to aviation, and in addition to that, wouldn't actually reduce lead or noise</p> <p>3) I urge you to please consider the amendments recommended by CABA, and accept amendments offered by the sponsors which can solve some problematic aspects of this bill</p> <p>Thank you</p>
<p>Dixon Herboldsheimer Against themselves</p>	<p>It's amazing how facts no longer apply. Superior has done two lead tests and both came back negative. We understand they have also</p>

	<p>done a noise test but refuse to release the results which only means that doesn't fit their agenda either regarding their noise complaint.</p> <p>These homeowners signed legal documents at closing knowing there was an airport near by but yet can't live by the legal document they have signed. Jefferson county and the airport have sent numerous letters to Superior over the years telling them to not build in the Rock Creek area but yet they still issued building permits. If anything the residents of Rock Creek should be suing Superior for issuing the building permits when they were advised not to. This bill is based solely on feelings and not facts which is just absurd to any logical person. Everyone these days has the privilege of going out to DIA and flying to their destination of choice. Do you really want to kill this freedom we have? By passing this bill, that will kill general aviation in Colorado and eventually in the US as a whole.</p> <p>You need to look at the facts of this whole issue. Hopefully the FAA will step in and put this to rest but yet you probably don't care what the Federal government says because you feel you're above the law.</p>
<p>Steve Lewis Amend themselves</p>	<p>I live in Colorado and I am a pilot flying here. I have recently learned of HB24-1235 and I am concerned about the impacts as drafted. The bill needs to be revised to protect all interests. Please take the time to consider all alternatives.</p>
<p>Tad Smith Against themselves</p>	<p>I'm a general aviation pilot with my own plane. I will point out that the sales tax I paid when I purchased my plane helped fund the Colorado budget. I don't like leaded fuel and no pilot I know does. However, the FAA has an existing mandate to get rid of leaded aviation fuel safely by 2030. I'm concerned about the safely part. When myself and my family fly in my plane, our lives depend on the plane being mechanically sound just as every one that flies commercially trusts their life to that commercial jet being mechanically sound. I disagree with pushing mandates to remove leaded fuel ahead of the FAA mandate, i.e. section 8. If a plane comes in from out of state and the pilot is unaware of the restriction on the sale of leaded fuel, they may be stuck. This is why waiting for the nationwide mandate makes sense. There is a lot of excitement around G100UL, however, it's a bit early in the process. I'm not aware of any long term (1000+ hours) testing in flight conditions to ensure safety. Additionally, it does not have wide spread availability at this time and it's difficult to forecast when that will happen.</p>

	<p>Some aircraft can be modified to run on 94 octane fuel, so I'm supportive of tax rebates that encourage that change. If they choose to purchase G100UL STC, getting a rebate for that makes sense.</p> <p>I am opposed to charging an additional tax on leaded fuel. I already paid sales tax when I purchased my plane. Some of those funds could be used for the same purposes.</p>
<p>George Dowidchuk Against themselves</p>	<p>Dear Representatives Jennifer Parenti and Meg Froelich,</p> <p>As a Colorado Pilot, I enjoy flying as recreational activity. It provides me with joy to see the natural beauty of the area however I do have concerns with HB 24-1235. I do want to be a good neighbor, I support the transition away from leaded aviation fuel, and I want to reduce noise impact on the surrounding community. I believe a compromise can be reached in regards to the legislation by working together to find common ground and mutually agreeable solutions.</p> <p>From a long term perspective, when I visit the airport I have noticed that quite a few younger pilots are working on their ratings. It is a costly endeavor for these young people. But their skill set is going to be needed moving forward as the current group of airline pilots retire. It is very important for pilots to have excellent places for them to develop their skills as a pilot and become the next generation of well trained, safe pilots that the public needs in the future.</p> <p>Please consider my thoughts and the aviation community in your district when discussing legislation.</p> <p>Sincerely,</p> <p>George Dowidchuk</p>
<p>Robert Freeman Amend Free Man Airshows, LTD</p>	<p>As a CO pilot, aircraft owner and aviation -related business owner, I have concerns with HB1235 as written.</p> <p>I am committed to the transition away from leaded aviation gasoline when a safe unleaded fuel is available. I am committed to reducing noise impacts on those who choose to live near airports, where it is safe and possible.</p>

	<p>Some sections of this bill are premature and others are in violation of federal law. I support allowing the Aeronautics Division to fund infrastructure grants to airports to accommodate lower octane unleaded fuel and the tax credit to help aircraft owners get required STCs in the interim and to allow the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel. I have issues with some of the rest of the bill. The sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law because regulation of airspace is exclusively the purview of the FAA. Public-use airports cannot and must not discriminate against airport users, or restrict flight times. Adding voting members to the CAB that lack an aviation background is misguided; the CAB is there to direct funding for airport improvements, infrastructure and to promote aviation safety. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters. I oppose the proposed fee of up to 50 cents per gallon on avgas as this will damage general aviation in the state. It will be counterproductive, rather than providing incentive. CO businesses that use piston aircraft (like mine) along with FBOs and fuel distributors will be hurt. Flight schools will be hurt the most as they will pass the cost along to their students, further increasing the cost of training new pilots and reducing training enrollment, throttling development of our next generation of pilots. Please continue to listen to the aviation community in your district, and to your constituents who will be hurt by the parts of this bill that I have highlighted. Please make meaningful amendments to this bill in order to achieve the transition to unleaded fuels quickly without destroying the aviation community in the process.</p>
<p>Kent Katnik Amend themselves</p>	<p>Dear Sens. and Reps.,</p> <p>I am a Colo. pilot & small a/c owner. 2 of my kids are new pilots who want to fly for an airline. They want to contribute to our amazing community. Because of these items, I have big concerns w/ the recently introduced HB1235.</p> <p>All of us in G.A. community are committed to safe transition away from leaded avgas as soon as safe, viable unleaded fuel is</p>

	<p>approved/available. We are also committed to reducing noise on those who live near airports.</p> <p>Some sections of the bill seem premature; others appear to be in direct violation of federal law.</p> <p>We do support the provision to allow the Aero. Div. to fund an airports grant to help w/ whatever infrastructure may be needed to permit lower octane unleaded fuel until a suitable 100 oct. fuel is available, and a proposed tax credit to help a/c owners obtain req'd STC in the interim. I support allowing the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel as this is the most helpful thing Colo could do to smooth a transition.</p> <p>Much of the rest of the bill is problematic: policies/plans to "prevent and mitigate" lead and noise contravene fed. law - regulation of airspace is the exclusive purview of FAA. Public-use airports can't discriminate against airport users, or restrict flight times, etc...</p> <p>Adding voting members to the Colo Aero. Board who don't have aviation experience is dangerous; the CAB is there to direct funding for airport systems, and to promote aviation safety in CO. It's inappropriate to have people who don't have an understanding in these areas to be voting on the matters.</p> <p>A fee of 50c/gallon on avgas is concerning. It will severely damage Colo G.A. This would be punitive. Pilots may buy fuel in other states, but Colo-based businesses that use piston a/c and don't have that option will be negatively impacted, as will be Colo-based fuel distributors, FBOs, etc. Among the most negatively impacted will be flt schools who would pass the cost along to students. This will increase new pilots' debt, and may discourage many from completing their training, in turn exacerbating the nation's critical pilot shortage.</p> <p>Continue to listen to the aviation community in your district, and to your constituents who will be negatively impacted by parts of this bill. We urge you to retain the "carrots," and remove the "sticks." We remain committed to being good neighbors and to continuing to discuss these issues.</p>
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	<p>Regards,</p> <p>Kent Katnik</p> <p>United pilot</p>
<p>Gary Gregory</p> <p>Amend themselves</p>	<p>As a Colorado pilot and aircraft owner, I have concerns with the recently introduced HB1235.</p> <p>First, please know that all of us in the general aviation community are committed to the safe transition away from leaded aviation gasoline, as soon as a safe, viable unleaded fuel is approved and made commercially available. We are also committed to reducing noise impacts on those who wish to live near airports, to whatever extent is safe and possible.</p> <p>With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.</p> <p>First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law -- regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc.</p> <p>Also, we believe that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or backgrounds is dangerous; the CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate to have people who don't have an understanding or stake in these areas to be voting on such matters.</p> <p>Finally, we are deeply concerned with the proposed fee of up to 50 cents per gallon on avgas. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there</p>

	<p>is no commercially available and approved 100-octane unleaded fuel available.</p> <p>I hope that you continue to listen to the aviation community in your district, and to your constituents who will be negatively impacted by parts of this bill. I urge you to retain the "carrot" pieces, and remove the "sticks". As always, we remain committed to being good neighbors and to continuing to discuss these issues.</p> <p>Thank You, Gary Gregory</p>
<p>Bonnie McCoy Amend themselves</p>	<p>As a Colorado resident, pilot, and aircraft owner, I have some comments and concerns regarding HB1235.</p> <p>I support the provision to allow the Aeronautics Division to fund a grant to airports to help accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available. The proposed tax credit for the STC required by the FAA will help with the transition as well.</p> <p>The section for policies and plans to "prevent and mitigate" lead and noise is problematic because the regulation of airspace is under the FAA. Also adding voting members to the Colorado Aeronautics board must include people who have an aviation background and understand the safety issues around aviation.</p> <p>Please do not increase \$0.50 per gallon on avgas. This will not incentivize pilots to fuel their planes with unleaded gas, because their engines simply cannot safely take unleaded gasoline as it exists now. This will impact flight schools the most. Every day people, often young people taking out student loans, are trying to make a career out of becoming a pilot and this would severely impact student pilots.</p> <p>Thank you, Bonnie McCoy</p>
<p>Patrick Webb Amend</p>	<p>Aviation is critical to our local and colorado economies. I am supportive of the plans at the federal level to make the transition to</p>

<p>themselves</p>	<p>no lead aviation fuel, and I believe colorado should align with this approach in order to keep a healthy, aviation economy.</p>
<p>Theresa Willis For themselves</p>	<ul style="list-style-type: none"> * There are NO safe levels of lead. * General Aviation aircraft (the small planes you see and hear overhead all day) are the cause of 72% of airborne lead pollutants in Colorado as of 2017 according to the EPA; * As of 2018, RMMA had the second-highest sales volume of leaded AVgas in the state of Colorado; * Lead is shown to have substantial detrimental health impacts on human life, especially children, * Noise has been shown to greatly impact health and is estimated to increase health care costs; much of which is paid for with public coffers; * There have been at least 13 General Aviation accidents in Colorado so far in 2021. At least 3 of them have occurred in our local area.
<p>Connie Socash Amend themselves</p>	<p>Dear Committee Members:</p> <p>As a Colorado pilot and aircraft builder/owner, I have concerns with the recently introduced HB1235. Although I support the eventual transition away from leaded aviation gasoline to unleaded, I feel this bill has several concerning factors that would damage the aviation industry in Colorado.</p> <p>First, I am disturbed by the wording that funding for the airport will be withheld unless the operating entity "enforces an effective noise mitigation plan." This goes against federal law as regulation of airspace is exclusively under the purview of the FAA. Most proposed mitigations usually involve a window of hours in which to conduct operations as well as limiting the geography of operations. Enforcing a rule about a pilot not being able to land at that airport at a particular time of day without penalty could invite issues of pilots feeling pressured to "force" the timing of their entries so as to avoid said penalties which could consequently compromise safety. As for enforcing rules about where a pilot may fly: in conditions of high wind, extending one or more legs of the flight pattern is often necessary to maintain a safe approach and landing to compensate for the wind; "enforcing" a policy about penalizing pilots who breach a boundary during critical phases of flight could similarly pressure pilots into compromising their pattern work just to fit into a boundary. In short, "enforcing" rules in any environment where the</p>

	<p>weather is anything but constant could invite unsafe situations which could result in serious incidents/accidents and legal issues.</p> <p>This bill also states "...limitation on the expenditure of money from the fund does not apply to money expended for an aviation project that is determined by the division to be designed and intended to mitigate significant adverse impacts..."</p> <p>I am disturbed that as written federal grants could be drained by mitigation efforts in an unchecked and possibly wasteful manner leading to a lack of money for necessary airport maintenance. There is also no mention of prioritizing needed airport maintenance over mitigation efforts, nor what such efforts would entail or cost. Colorado's airports can't simply be unmaintained because of these expenditures – this is irresponsible and dangerous for pilots who rely on safe flying environments.</p> <p>Please do not risk Colorado's aviation industry and pilots' safety by passing this bill unamended.</p> <p>Sincerely, Connie M. Socash</p>
<p>Mitchell Friedman Amend themselves</p>	<p>Eliminate section 9,7, Please support their strike below amendment. Huge pilot shortage Leaded gas is on the way out. Airports are under federal jurisdiction</p>
<p>Paul Russ For themselves</p>	<p>March 5, 2024</p> <p>Our Hills West subdivision is immediately adjacent to Cherry Creek State Park which acts as an acoustic basin, amplifying aircraft noise even at high altitudes.</p> <p>The neighborhood is in a noise sensitive area as designated by map previously provided by Centennial Airport and/or FAA.</p>

	<p>This noise sensitive area within which our community is located has been incessantly violated on a daily basis dating to at least 2000, when we first moved into the Hills West neighborhood. Despite routine complaints to the Noise Complaint Hotline, the number of flyovers continue to only worsen.</p> <p>The noise, lead pollution and crash risk is intolerable and must be remedied. Flying the dogleg of Cherry Creek State Park is a possible, but limited solution for northbound arrivals and departures. Alternatively, arrivals and departures to Centennial Airport could be from the south, which has less development.</p> <p>All flights and flying activity should be required to stay south of Araphaoe Road. If this is not possible, then Centennial Airport should be closed. The airport provides services to a small elite, while endangering many on the ground who do not benefit, but are allowed to assume unacceptable risks.</p> <p>Sincerely, Paul Russ</p>
<p>Andrew Brayton Amend themselves</p>	<p>I want to express gratitude to the sponsors for improving the bill, aligning it with federal law and minimizing costs for local businesses. I urge support for the "strike below" amendment. Colorado's aviation industry generates \$48.6 billion revenue, supporting 345,000 jobs, crucial amidst a severe pilot shortage. I am committed to transitioning to unleaded avgas safely. Financial incentives are essential for this transition. I appreciate amendments recognizing federal jurisdiction over airspace and the importance of knowledgeable members on the Colorado Aeronautics Board (CAB). Any mandate regarding unleaded avgas must await a safe replacement. Overall, while there are still details to address, I am optimistic about the bill's trajectory. Thank you.</p>
<p>VIC CHEN For themselves</p>	<p>My name is VIC CHEN.</p> <p>I am here to urge the committee to vote yes on House Bill 1235.</p> <p>I live in cherry creek farm. I often hear loud noise of aircraft when I stay at home.</p> <p>Please vote yes on HB1235. Thank you for your time.</p>
<p>Zach Zweizig Amend themselves</p>	<p>I would first like to thank the representatives for listening to the Colorado aviation community. I ask that the committee support the strike below amendment that the sponsors are offering.</p>

	<p>As a member of the aviation community I full support the process of eliminating leaded fuel. However I ask that considerations be made to help this transition in a safe manner that benefits our state as a whole.</p> <p>I also ask that the citizens appointed to CAB need to have a thorough understanding of the industry, aviation safety, and airport infrastructure.</p> <p>Thank you,</p>
<p>Dan Hensley Amend themselves</p>	<p>Thank you for working with the various stakeholders to make improvements to this bill to correct language that conflicted with federal law, added unnecessary and painful costs to local businesses, and would have damaged the aviation industry as a whole.</p> <p>I am urging the committee to support the "'strike below' amendment" that the sponsors are offering. There are probably some detailed in the AS AMENDED bill that will still need to be worked out, but the AMENDED bill is going in the right direction.</p> <p>As a private pilot and aviation enthusiast, some of the provisions in the original bill are deeply troubling to me. I am thankful for the work the sponsors have done to obtain a better understanding of aviation, including recognizing that airspace is exclusively under federal jurisdiction and that public use airports cannot deny or restrict aircraft access or operations.</p> <p>The aviation industry has been committed to eliminating leaded avgas for a number of years, and already has a timeline in place. But it needs to be done in a safe and federally approved manner. Any mandate to switch to unleaded avgas before an approved, widely available 100 unleaded avgas is available is both premature and dangerous. I support financial incentives provided in the "strike below" amended bill that would help us make an eventual safe transition to unleaded fuel.</p> <p>Members of the aviation community are committed to being good neighbors. This includes ways to reduce noise while continuing to fly safely and within federal regulations.</p>

	<p>The aviation industry in Colorado (from a 2020 study) generates almost \$50 billion in revenue and supports over 345,000 jobs. It is a significant industry for Colorado. There is currently a severe pilot and mechanic shortage nation-wide, and flight schools are critical for training new pilots. My son is planning a career in the aviation industry and has completed part of his flight training in Colorado, so this is personal for him as well as me. Training to be a pilot is expensive, and additional impediments (including cost) to flight training will only exacerbate the shortage.</p> <p>The two new members of the Colorado Aeronautics Board (CAB) required by this bill MUST have a thorough knowledge of aviation. CAB is a technical board that deals with airport infrastructure funding and aviation safety, and without a thorough understanding of this industry, it will be exceedingly difficult to make informed recommendations.</p>
<p>Chris Kilker Amend CPA</p>	<p>General aviation needs safe and reasonable access to all Colorado airports. Not amending this bill would be a disaster to general aviation in Colorado.</p>
<p>John Zimmerman For themselves</p>	<p>I am a long time home owner just north of Centennial Airport , since 2006, and the noise from airplanes from the airport keeps getting worse. If I am on the phone during the summer in our backyard people think I live by DIA or they cant hear me at all. On weekends it is particularly bad, its just airplane after airplane after airplane. Something needs to be done to either limit the number of flights or adjust the flight paths. Allowing all these airplanes to constantly fly over residential communities just isn't right and is deteriorating the quality of life of our suburban neighborhood.</p>
<p>Mark Gardner Amend themselves</p>	<p>Please follow CABA recommendations including-</p> <ul style="list-style-type: none"> eliminate section 9 eliminate section 7 <p>Aviation is important to our State and Nation. Hamstringing aviation would be disastrous to our future.</p>

	<p>Thank You Mark Gardner</p>
<p>Cody Sewell Amend themselves</p>	<p>Thank you to our representatives for listening to the Colorado aviation community. We are grateful for the amendments to the original bill, but I would like to encourage you to consider further evolution of HB 24-1235 to make it impact Colorado aviation less.</p> <p>I support eliminating section 9, Imposing an extra fee or charge for the use on 100LL until the unleaded fuel is available.</p> <p>I also support eliminating section 7, restricting federal funds for aviation purposes.</p> <p>I support further amendment to section 8.</p> <p>Making a transition to unleaded aviation fuel is the goal for all involved but needs to be done so in a safe manor in accordance with FAA standards. I am eager to have a safe and approved unleaded fuel available, but if this transition should be fast tracked, or pushed through, it could have severe impacts to safety.</p> <p>New pilots are needed more than ever with the growing shortage in our country. Local flight schools are the foundations on which their careers are built. Imposing limits on local airports for flights, or aircrafts allowed in and out will continue to add to this issue. Touch and goes and traffic pattern practice are crucial parts of training for any pilot. Most airports when built were away from populated areas and neighborhoods. Possibly close to industrial areas when first constructed. When development begins to move towards an airport or any other loud environment, why is there no consideration by those in planning? Instead, homes or businesses are built, and new owners or tenants then have a complaint about noise or health impacts? Just something to consider.</p> <p>I am pleased to see the two new members for the Colorado Aeronautics Board in this bill will need knowledge of airport operations and aviation safety. With out this knowledge, choices made by members would have been subject to bias due to lack of understanding.</p> <p>Thank you for your time.</p>

<p>Daniel Hayes Amend themselves</p>	<ul style="list-style-type: none"> -Eliminates Section 9 which would have charged consumers of 100L up to 50 cents per gallon to fund an enterprise account to support transition to unleaded avgas -Eliminates Section 7 (Restrictions on Application for FAA Airport Funds) -Significantly amends other sections to the extent that AOPA and the Colorado Department of Transportation, Aeronautics Division is comfortable supporting bill as long as expected amendments improving the bill remain and continued progress is made going forward -Lets not forget, the small GA airports of today will be the EVTOL point to point destinations of the future. -Moreover, critical emergency airlift operations often occur in small local GA airports!
<p>Nicholas Maass Amend themselves</p>	<p>Thank you for considering my testimony to make improvements to the bill.</p> <p>I recommend Elimination of Section 7, and 9, and the "strike below" amendment. Thank you for for working with stakeholders to make improvements to the bill which correct language that conflicted with federal law, added unnecessary costs to local businesses, and would have been damaging to the aviation industry</p> <p>USA is facing a severe pilot shortage, which will affect everyone who flies! Local flight schools are an indispensable part of making up the shortfall. Additional fees will add even more difficulty to an already difficult task. Further increasing the shortfall and ultimately increasing commercial plane tickets to you and me.</p> <p>The general aviation (GA) community is fully committed to eliminating leaded avgas in a safe, federally approved manner, and we eagerly anticipate the day when a safe drop-in replacement becomes available. Until then, unleaded fuel alternatives will be illegal and unsafe. All Colorado residents should prefer planes to operate safely operate on 100 Low Lead (100LL) then unsafely operate on unproven fuels. Currently, 100LL remains the only fuel option for most GA pilots. I urge you to give the General Aviation community time to prove out new fuel alternatives, and support financial</p>

	<p>incentives in the "strike below" amendment to help airports and aircraft owners to make the eventual safe transition to unleaded fuel.</p> <p>According to a 2020 study, Colorado aviation industry generates \$48.6 billion in revenue while supporting 345,000 jobs.</p> <p>Aviation community is committed to being good neighbors.</p> <p>Appreciate changes made which recognize that airspace is exclusively under federal jurisdiction, and that public use airports cannot deny or restrict aircraft access or operations.</p> <p>Original bill included several provisions that were deeply troubling; we are thankful for the work the sponsors have put into obtaining a better understanding of aviation and as a result, making several substantive amendments to the bill.</p> <p>There may be some details which still need to be worked out, but we are confident that will happen, and think this bill AS AMENDED is going in a good direction.</p> <p>I am confident the elimination of Section 7, and 9 and the proposed "strike below" will improve this legislation. I encourage you to make these changes.</p>
<p>David Hartzell Amend themselves</p>	<p>I would like to thank the committee for making amendments to this bill to make it less impactful to CO aviation.</p> <p>As a pilot and CO resident, I am writing to ask the committee to support the ""strike below" amendment" amendment that the sponsors are offering.</p> <p>I also support the financial incentives in the "strike below" amendment to help airports and aircraft owners to make the eventual safe transition to unleaded fuel.</p> <p>Myself and general aviation community is fully committed to eliminating leaded avgas in a safe, federally approved manner, and</p>

	<p>we eagerly anticipate the day when a safe drop-in replacement becomes available.</p> <p>In addition, I appreciate changes made which recognize that airspace is exclusively under federal jurisdiction, and that public use airports cannot deny or restrict aircraft access or operations.</p> <p>Please be aware that according to a 2020 study, the Colorado aviation industry generates \$48.6 billion in revenue while supporting 345,000 jobs. In addition, the U.S. is facing a severe pilot shortage, which will affect everyone who flies, and local flight schools are an indispensable part of making up the shortfall. The amendments to this bill will support the CO aviation industry and help train the next generation of pilots, not restricting flight times and locations when training is needed.</p> <p>Thank you for your consideration amending this bill.</p>
<p>Brian Doud Amend themselves</p>	<p>Hello, I am a Colorado native and a certificated pilot of 34 years. This is very important legislation that you are considering and has a very wide scope of impact on the state economy. General aviation is critical to the current Colorado economy and the future of Colorado and the nation. As a pilot and member of AOPA, EAA, Civil Air Patrol and a former Boeing employee in Colorado, I support AOPA's goals as stated below.</p> <p>AOPA goals at this hearing are to 1) acknowledge representatives for listening to the Colorado aviation community and 2) to request the committee encourage further evolution of the bill to make it even less impactful to Colorado aviation. These goals and the below talking points are aligned with the objectives of the Colorado aviation advocacy coalition and are as follows:</p> <p>Thank sponsors for working with stakeholders to make improvements to the bill which correct language that conflicted with federal law, added unnecessary costs to local businesses, and would have been damaging to the aviation industry</p> <p>Ask committee to support the ""strike below" amendment"</p>

	<p>U.S. is facing a severe pilot shortage, which will affect everyone who flies, and local flight schools are an indispensable part of making up the shortfall</p> <p>The general aviation community is fully committed to eliminating leaded avgas in a safe, federally approved manner, and we eagerly anticipate the day when a safe drop-in replacement becomes available</p> <p>Aviation community is committed to being good neighbors Indicate support for financial incentives in the "strike below" amendment to help airports and aircraft owners to make the eventual safe transition to unleaded fuel. Appreciate changes made which recognize that airspace is exclusively under federal jurisdiction, and that public use airports cannot deny or restrict aircraft access or operations. Appreciate that the two new members of the Colorado Aeronautics Board (CAB) required by this bill must have knowledge of aviation as CAB is a technical board that deals with airport infrastructure funding and aviation safety. Citizens appointed to the CAB need to have a thorough understanding of the industry, aviation safety and airport infrastructure.</p> <p>Recognize significant changes to requirement for plan to eliminate unleaded avgas is vastly improved, any mandate before an approved, widely available 100 unleaded avgas is available is both premature and dangerous.</p>
<p>Donna Russ For themselves</p>	<p>My husband and I are extremely concerned about the air traffic from Centennial over our neighborhood. We run four days a week and call in to the Centennial noise complaint line higher and higher numbers of flights that are violating the FAA designated noise-sensitive areas. It has become a constant in our community. The biggest fear is that a plane will come down in a residential area (since there have been previous crashes), causing harm to humans and property. A fuel tank explosion could set off further home gas line explosions, causing irreparable damage. The next concern is the lead poisoning that we were previously unaware of. The final concern is the stress and accompanying physical consequences, such as higher blood pressure, due to the constant noise that drowns out conversations and natural tranquillity. Thank you for sponsoring and supporting a bill to address these serious and urgent concerns. There are other options for diverting the flight paths to less populated areas (the park, undeveloped areas to the south of the airport). We sincerely hope that substantive and effective action will be taken to prevent this irresponsible and highly dangerous traffic over our residential communities.</p>

<p>Steven Allen-Shinn Amend themselves</p>	<p>Firstly, I would like to thank the sponsors of this bill for partnering with the aviation community thus far to make this bill less harmful to aviation.</p> <p>I fully support general aviation and the incentives in the bill to help airports and aircraft owners handle the transition to unleaded avgas. This is an important change that will help reduce aircraft maintenance costs and will be beneficial to the environment in the long term.</p> <p>The aviation community is already working at the local and national levels toward a safe transition to unleaded fuels.</p> <p>The other provisions of the bill as introduced, while well intended, would be disastrous for general aviation and would not be effective at controlling noise or lead.</p> <p>The negative economic impact would extend beyond aviation into the communities which are served by the airports.</p>
<p>Chris Murphy Amend themselves</p>	<p>I do not support any portion of this bill as written. I support the "strike below" amendment, and I'm hopeful the committee will recognize the Colorado aviation community significantly contributes to the economy, and that this bill will very negatively impact that contribution. The amended bill is heading in the right direction. Thank you.</p>
<p>Paul Russ For themselves</p>	<p>RE: HB24-1235 (Reduce Aviation Impacts on Communities)</p> <p>March 5, 2024</p> <p>The following article was recently published:</p> <p>Small plane crashed in South Metro Denver, killing the pilot.</p> <p>By Tony Gorman, Aug. 9, 2022, 6:36 pm</p>

	<p>https://www.cpr.org/2022/08/09/plane-crashed-in-south-metro-denver-killing-the-pilot/</p> <p>This is, of course, a tragedy. I offer my condolences to the pilot's friends and family.</p> <p>However, this incident could have been ever more consequential if someone on the ground had been killed. Centennial Airport can no longer be considered safe for civilian and limited commercial aviation given its proximity to densely developed and heavily populated residential and commercial neighborhoods.</p> <p>Having lived in a nearby home for over 20 years, constantly overflowed by planes departing and arriving at Centennial, my formal complaints regarding noise pollution have done little to nothing to change air traffic patterns. This includes innumerable calls to the Noise Complaint Hotline since August 24, 2017. Dozens of low-level overflights, however, continue over my home daily.</p> <p>More importantly, with the number of civilian aviation crashes increasing, it is only a matter of time until a plane flying into or out of Centennial will crash causing needless on-the-ground deaths and property destruction. The crash of a fully fueled or partially fueled plane, especially a jet, would be catastrophic and could result in additional secondary explosions and fires from ruptured residential and commercial gas lines. A conflagration engulfing several neighborhoods is a certain possibility. Innocent people will suffer for the few who can afford private aviation as a hobby or the convenience and luxury of executive jet travel.</p> <p>There can be no justification for local, state and federal governments to endanger residences and businesses to support Centennial Airport or the DTC as a source of tax revenue or for any other reason. What is the valuation of a human life, especially in this context?</p> <p>This is immoral and must be remedied. A moratorium on all Centennial Airport aviation must be instituted immediately. At a minimum, Centennial Airport must be moved to a remote location or closed in favor of DIA.</p>
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	<p>Sincerely and with concern, Paul Russ</p>
<p>Richard Griffin Amend themselves</p>	<p>Hello, my name is Rick Griffin, 17833 White Marble Dr in Monument Colorado. I am a retired Air Force Veteran who flies both general aviation in Colorado and for a major airline in the US. The training I receive in general aviation is essential to improving my airborne safety in both small piston driven aircraft and large multiengine jets.</p> <p>I agree that mitigating noise impacts on those who live near airports and transitioning to a no-lead aviation solution without impacting safe and efficient General Aviation fleet operations are important for the long term benefit of communities; however, I would like to address potential secondary impacts of the bill that merit amendment prior to passage.</p> <p>First, the proposed fee on AVGAS will negatively impact not only general aviation in Colorado, but also ongoing efforts to provide diversity amongst pilots training to eventually fly the most advanced aircraft in the nation. Training costs are already a steep hurdle for all potential aviators and this will be an increased debt burden on the future generation of airplane pilots. In addition, Colorado businesses that operate piston aircraft will be unnecessarily punished. Today there is no ubiquitous commercially available and approved 100-octane fuel. Until that happens, this tax is premature.</p> <p>Next, I understand the desire for non-aviators to express their opinions on airport operations and the aviation industry; however those individuals do not have the expertise to be granted voting rights on the Colorado Aeronautics Board. At best, for the near term, those individuals might be granted a non-voting position that allows them access to all meetings, both public and executive in nature so that their community impact perspective can be heard by board members.</p> <p>Finally, regulation of airspace is the providence of the Federal Aviation Administration. In addition, public use airports must remain available to all airport users without prejudice. Sections of this bill attempting to "prevent and mitigate" lead and noise contravene</p>

	<p>federal law and passage without amendment may necessitate undo legal burdens on the state of Colorado. Money better spent on achieving the overall benefits of no lead fuel.</p> <p>I appreciate your time and hope you continue to listen to the aviation community as this bill evolves</p>
<p>Phil Lauter Amend themselves</p>	<p>My name is Phil Lauter. I've lived in Colorado since 1985. I now live in Lakewood. I own a small airplane that I bought in 2013, which I paid substantial Colorado property taxes on, now parked in a hangar at Rocky Mtn. Metro Airport, one of many regional airports in Colorado. I also pay Jefferson county airport ground lease fees.</p> <p>I also spend considerably for maintenance at one of the FAA approved airport repair stations at Metro airport. All of this brings considerable business and employment to the Colorado economy.</p> <p>General aviation may be just a sidebar to the aviation industry at large, but we are a vital element of that big picture here in Colorado.</p> <p>ALSO: General aviation is currently working actively to remove lead from ALL of our fuel. We are very close to achieving this.</p> <p>We are in discussion with the FAA regarding altering our flight paths to remediate our noise from the communities we fly over, and we are encouraging our neighbors to come visit us and learn more about the advantages of having an airport close to their homes.</p> <p>HB24-1235 does NOT help general aviation or Colorado. It harms us.</p> <p>That said, please consider our amendments to HB24-1235 as offered.</p> <p>Thank you.</p>

<p>John Kellogg Amend themselves</p>	<p>Hello I am John, I am 22 years old and I am an instrument rated pilot with the dream of being an airline captain. Aircraft rental for training is at an all time high and it is making it increasingly difficult to go into the airline industry.</p> <p>I currently rent from a flight school at Rocky Mountain Metropolitan Airport (KBJC), it's a Cessna 172 Skyhawks and it costs a whopping \$199/hr. The cost of my instrument rating was \$20k, and the my commercial training is getting close to \$25k.</p> <p>The fuel cost is notable portion of the rental rate. Another tax on the fuel would make it even more difficult.</p> <p>I have paid my way through college and flight training to this point I'm not taking out any loans. It seems that this bill is only going to make it more difficult to receive flight training.</p> <p>I am not the only one, many people are turned away from flight training due to the high training costs and pilots is something that the airline industry needs. The airline industry is essential for our modern economy and it generates \$900 billion annually according to the FAA.</p> <p>General Aviation also generates \$48.6B in revenue for Colorado annually according to the 2020 Colorado Aviation Economic Study.</p> <p>The industry also supplies 345,000 jobs and payroll is \$16.2B.</p> <p>Bills like HB24-1235 are not only devastating for aviation. It will also could have devastating impacts on the Colorado economy.</p> <p>Additionally, Colorado airports provided essential services such as fire refilling stations for fire planes protecting Colorado from forest fires, and Air Ambulances that transport patients from the Rocky Mountains to Level 4 trauma centers in the Denver area.</p>
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	<p>Aviation is essential for Colorado and I am worried that if this bill passes then there will be further bills in the future that would be even more devastating for aviation.</p> <p>Please consider amending the bill so that airports don't have to meet certain criteria in order to receive federal funding, and please consider dropping the tax on Leaded fuel. Studies show that local communities are not being impacted by leaded fuel.</p>
<p>John Kellogg Amend themselves</p>	<p>Hello I am John, I am 22 years old and I am an instrument rated pilot with the dream of being an airline captain. Aircraft rental for training is at an all time high and it is making it increasingly difficult to go into the airline industry.</p> <p>I currently rent from a flight school at Rocky Mountain Metropolitan Airport (KBJC), it's a Cessna 172 Skyhawks and it costs a whopping \$199/hr. The cost of my instrument rating was \$20k, and the my commercial training is getting close to \$25k.</p> <p>The fuel cost is notable portion of the rental rate. Another tax on the fuel would make it even more difficult.</p> <p>I have paid my way through college and flight training to this point I'm not taking out any loans. It seems that this bill is only going to make it more difficult to receive flight training.</p> <p>I am not the only one, many people are turned away from flight training due to the high training costs and pilots is something that the airline industry needs. The airline industry is essential for our modern economy and it generates \$900 billion annually according to the FAA.</p> <p>General Aviation also generates \$48.6B in revenue for Colorado annually according to the 2020 Colorado Aviation Economic Study.</p> <p>The industry also supplies 345,000 jobs and payroll is \$16.2B.</p> <p>Bills like HB24-1235 are not only devastating for aviation. It will also could have devastating impacts on the Colorado economy.</p>

	<p>Additionally, Colorado airports provided essential services such as fire refilling stations for fire planes protecting Colorado from forest fires, and Air Ambulances that transport patients from the Rocky Mountains to Level 4 trauma centers in the Denver area.</p> <p>Aviation is essential for Colorado and I am worried that if this bill passes then there will be further bills in the future that would be even more devastating for aviation.</p> <p>Please consider amending the bill so that airports don't have to meet certain criteria in order to receive federal funding, and please consider dropping the tax on Leaded fuel. Studies show that local communities are not being impacted by leaded fuel.</p>
<p>Gary Steube Amend themselves</p>	<p>Members of the Colorado House Transportation, Housing & Local Government Committee:</p> <p>Thank you for working with stakeholders to make reasonable amendments to HB24-1235. I am a long time private pilot, experimental aircraft builder, certified Airframe & Powerplant Mechanic and an aviation mentor to students at the St Vrain Valley School District Innovation Center. I have personal experience with the Safety, Economic and Recreational benefits of General Aviation in Colorado.</p> <p>All of the Colorado pilots that I know are committed to being good neighbors. We strive to minimize the noise impact that we have on communities and are eager to transition from low leaded fuel to the new unleaded versions. For example, I maintain the tow planes used by the Soaring Society of Boulder and have already obtained the necessary STC paperwork that is required in order to use unleaded fuel; the only obstacle to transition is availability of the unleaded fuel.</p> <p>Please support the "strike below" amendment which will eliminate some of the elements that are most harmful to General Aviation. Colorado deserves the continued safety and economic benefits and my students at the Innovation Center are counting on us to keep General Aviation a viable part of our transportation system.</p>

<p>John Kellogg Amend themselves</p>	<p>I was there in person but I had to leave due to the delay. From what I heard from the people who are for the House Bill, it seems that there are no real solutions. Putting a tax on fuel will only make flight training more expensive. It is not going reduce the amount of flights. I am already paying \$199/hr. Aviation people are determined. I am determined to become an airline pilot and achieve my dreams no matter how much it costs. I am paying for the training out of pocket and I work really hard to pay for it.</p> <p>The noise complaints seem unreasonable. People should not move next to the airport and then ask for different flight patterns? How are we supposed to change the flight patterns? It's not like we can move the runway. We climb out at best rate of climb which gets us away from the earth as quick as possible.</p> <p>Additionally, it is standard practice for flight schools to climb to 7,500 MSL (2000ft above the ground) prior to leaving the class D airspace surrounding 4 nm around KBJC (RMMA)</p> <p>Please amend the bill so that there is no tax on Leaded fuel.</p>
<p>William Kearney Against themselves</p>	<p>Thank you for reworking the bill to be in alignment with federal law, as previously written the bill had added unnecessary costs to local business and would be damaging to the community and aviation industry.</p> <p>I ask the committee to support the ""strike below" amendment" that the sponsors are offering. Colorado has 300 days of sunshine, this is ideal for pilot training and very beneficial to Colorado. The Colorado aviation industry generates \$48.6 billion in revenue while supporting 345,000 jobs per a 2020 study. We are facing a severe pilot shortage, which will affect everyone who flies, and local flight schools are an indispensable part of making up the shortfall. The changes to the requirements plan to eliminate unleaded avgas is vastly improved, any mandate before an approved, widely available 100 unleaded avgas is available is both premature and dangerous.</p> <p>Thank you for the changes made which recognize that airspace is exclusively under federal jurisdiction, and that public use airports cannot deny or restrict aircraft access or operations.</p>

	<p>I am thankful for the work the sponsors have put into obtaining a better understanding of aviation and as a result, making several substantive amendments to the bill.</p>
<p>Santosh Manjrekar Amend themselves</p>	<p>I urge the committee to lend their support to the “strike below” amendment, proposed by the sponsors. This amendment is vital for ensuring the bill aligns with the needs of our aviation sector.</p> <p>The significance of the aviation industry cannot be overstated. A 2020 study highlighted that in Colorado alone, it generates a staggering \$48.6 billion in revenue and sustains 345,000 jobs. Moreover, with the United States facing a severe pilot shortage, local flight schools play an indispensable role in addressing this shortfall.</p> <p>As a member of the aviation community, I affirm our unwavering commitment to phasing out leaded avgas safely and in accordance with federal regulations. We eagerly anticipate the development of a federally approved, safe drop-in replacement.</p> <p>Furthermore, we are dedicated to being good neighbors and supporting initiatives that promote aviation safety and infrastructure development. The financial incentives outlined in the “strike below” amendment will aid airports and aircraft owners in transitioning to unleaded fuel, ensuring a smooth and safe process.</p> <p>I appreciate the adjustments made to recognize federal jurisdiction over airspace and the importance of public use airports in facilitating unrestricted aircraft access and operations.</p> <p>Moreover, I commend the inclusion of the requirement for new members of the Colorado Aeronautics Board to possess a thorough understanding of aviation. This ensures that the board can effectively address airport infrastructure funding and aviation safety concerns.</p> <p>I kindly request the elimination of Section 9 from the bill. This section proposes charging consumers of 100L up to 50 cents per gallon to establish an enterprise account aimed at supporting the transition to unleaded avgas. Removing this section would alleviate potential financial burdens on consumers.</p>

	<p>Additionally, I urge for the elimination of Section 7, which imposes restrictions on the application for FAA Airport Funds. Removing this section would streamline the process for accessing crucial funds for airport projects.</p> <p>Furthermore, I respectfully request significant amendments to other sections of the bill. These changes are essential for garnering support from key stakeholders such as AOPA and the Colorado Department of Transportation, Aeronautics Division. Their support hinges on the assurance that expected amendments will further enhance the bill's efficacy. We are committed to ensuring continued progress in this regard.</p>
<p>David Stroh Amend themselves</p>	<p>Thank you for considering the following: Support the "Strike Below" ammendment</p> <p>I'm fully in support of eliminating 100LL and will make the switch to unleaded fuel once it is available. Please recognize that this change will take time, similar to when unleaded gas for autos was transitioned over several years.</p> <p>In addition to a significant financial impact for the state, the aviation industry supports hundreds of thousands of jobs.</p> <p>Thanks for your consideration.</p>
<p>Hep ingham For themselves</p>	<p>No one starts out wanting to close the airport. It starts out when the pilots fly low over your home and then you ask them to follow the rules. They tell you "These are recommendations, we can and will do whatever we think is best." Then you go to the FAA and ask them to get the pilots to follow the FAA altitude standard and avoiding voluntary noise abatement areas. The FAA managers tell you "It's not in the public interest for us to follow claims about airplane altitude of noise violations." Then you look at the history and you see that operations, pattern flying and glider tow flights are up 400% from the 1990s. There was no public comment, no input from those affected, only the threat of lawsuits by pilot groups and their business interest using the hook of FAA money that gives them unrestricted use of a public facility. Then you find out all the piston airplanes are burning leaded fuel and that the EPA has issued an endangerment study that</p>

	<p>av-gas is the source of lead and it is harming the people (especially children) that live near the airport. The pilot response to lead starts out with "No, must be from cars or old lead mines." Then "You can't get sick from lead unless you put it on your finger and stick into your body cavity." Then they'll say "oh we'll switch to un-leaded by 2030, it will be voluntary" The tired refrain "Why did you move next to an airport did you think geese flew there?" misses the point that the pilot communities have given themselves the right to expand their operations for profit and amusement in perpetuity, without any oversight or restriction, changing a tolerable airport into a system of subsidy for a privileged users who externalize the cost of noise and lead poisoning. The pilot groups have lawsuits waiting, using FAA rules to threaten the City incase the City tries to limit their noise or lead pollution. That's the reality of the airport and of all the GA airports across the country.</p>
<p>Michael Porowski Against themselves</p>	<p>I urge the committee to amend House Bill 1235.</p> <p>There are good things in the bill, especially Section 3 financial incentives to help airports and aircraft owners to make the safe transition to unleaded fuel. The general aviation community is fully committed to eliminating leaded avgas in a safe, federally approved manner, and we eagerly anticipate the day when a safe drop-in replacement becomes available. We are also committed to being responsible neighbors. However, there are sections of the bill that are deeply concerning.</p> <p>Section 9: A fee on avgas would harm local businesses. The Colorado Aviation Division of CDOT has the resources to fund the incentives in this bill, without these damaging fees. Please Support Sponsor amendment to strike the enterprise in section 9.</p> <p>Section 8: As introduced, the bill contains several provisions that conflict with federal law. The FAA has sole authority over airspace - state and local governments have no legal authority to restrict use of airspace. Public use airports cannot deny or restrict aircraft access or operations. CDOT does not have authority or personnel to approve or deny noise plans. Phasing out the sale of 100LL before a safe, approved unleaded alternative is widely available is premature and dangerous. Does the committee want to be responsible for unsafe aviation operations? Please Support sponsor amendments to address the issues in these sections.</p>

	<p>Section 6: CAB is a technical board that deals with airport infrastructure funding and aviation safety. Members appointed to it need to understand the industry, aviation safety and airport infrastructure. New CAB positions should comply with existing requirements for appointees. Please Support Sponsor amendment addressing these concerns.</p> <p>Please amend HB1235. Thank you, Michael Porowski</p>
<p>Mark Lacin For Town of Superior</p>	<p>Madam Chair Froelich, members of the committee,</p> <p>My name is Mark Lacin. I am the Mayor of Superior. I support HB 24-1235.</p> <p>Superior is located in Boulder County. We are a densely-populated, 4 square mile town with over 13,000 residents. Immediately to our Southeast sits Rocky Mountain Metropolitan Airport -- a General Aviation Airport owned and operated by Jefferson County.</p> <p>Over the past few years, substantial growth of flight schools operating out of RMMA that fly repeated touch-and-go training patterns over densely-populated residential areas and schools has caused increased noise and lead pollution that is negatively impacting Superior residents.</p> <p>It wasn't always like this. In 2015, RMMA logged 125k annual operations and I rarely heard complaints. In 2023, however, that number had grown to 282k operations per year -- a 125% increase in just 8 years. I now hear from my residents daily how their lives have been negatively impacted by the flight schools training over our town.</p> <p>Unfortunately, Jefferson County has turned a blind eye towards the pollution they are dumping on a neighboring county. Voluntary noise mitigation plans have been ignored. And the County has not participated in the Community Noise Roundtable in good faith.</p> <p>This is a smart bill and a smart first step.</p>

	<p>1) It accelerates the transition of the last remaining users of leaded fuels, to a safer unleaded alternative;</p> <p>2) It protects the public health -- particularly of children, who are at risk of developmental disabilities -- by testing their blood; and</p> <p>3) It recognizes the need to monitor noise and implement steps to reduce and limit noise -- the best way of course, would be to limit or eliminate the touch-and-go flights by piston-aircraft that fly circles around airports like RMMA over densely populated residential areas altogether.</p> <p>Training pilots is important. But it doesn't come without a cost. The lead and noise emitted from these training operations should not occur over densely populated residential areas. It's not safe for the general public... and it's particularly damaging for children.</p> <p>Respectfully submitted,</p> <p>Mayor Mark Lacis Superior, Colorado</p>
<p>Alan Minich Amend themselves</p>	<p>I am 40+ year resident of Colorado and the Front Range Area, as well as a pilot for over 50 years.</p> <p>Aviation has changed my life in many ways, realizing how important it is to everyone in this country and the planet.</p> <p>Reducing flying of any type greatly impacts everyone in a negative way, large or small.</p> <p>I have a granddaughter on the West Slope who was flown last minute from Grand Junction to Centennial Airport (for Children's Hospital) with a sudden, serious, undiagnosable condition at that time.</p>

	<p>Without that plane and pilot plus their training starting at small airports, initially, it could have been life or death situation.</p> <p>We all must work together by sharing long term aviation goals.</p> <p>Reducing lead fuel content (is one!) which must be done safely and not rushed, therefore, causing errors or serious complications for people.</p> <p>Charging extra cost for low leaded fuel, due to unavailability of unleaded fuel will cost everyone more money if you are or are not involved in aviation.</p> <p>Going forward, I very much appreciate the time and efforts of ever one involved, working together to make these aviation issues solvable to common, positive goals for all.</p>
<p>Ernesto Meruelo Against themselves</p>	<p>I am concerned with HB24-1235 and its potential long term negative impact to general aviation in Colorado. The impetus for HB24-1235 is due to perceived concerns with noise and avgas.</p> <p>Regarding noise, the average piston engine aircraft noise emission at traffic pattern altitude (800-1,000 ft agl) is approximately 60dBA. This is the same level as conversational speech and 25% less than average street traffic noise (85dBA). Airports and aircraft operators voluntarily abide by noise abatement procedures in response to concerns raised by the local community. California has numerous examples of successful collaboration between the community and airport to minimize noise while ensuring safety of flight operations. These all were facilitated with MOA/MOUs or ordinances at the municipal/county level appropriate to what the community required. State level legislation and additional funding would not likely have achieved an outcome more desirable for the community stakeholders involved.</p> <p>In regards to avgas, the banning of TEL additive in gasoline for road vehicles has removed a toxic pollutant that posed a significant health risk, particularly to children. The removal of lead in the air people breathe at ground level is one of the finest achievements of environmental legislation. In comparison, the environmental and health impact of piston engine aircraft using 100LL avgas is practically nil. Federal government (EPA) and privately funded studies</p>

	<p>have determined no detectable levels of lead in the vicinity of an average general aviation airport. The ANNUAL piston engine aircraft fuel consumption is a fraction (approx 10%) of the DAILY fuel consumption of road vehicles. Most piston aircraft exhaust emissions occur during cruise flight (3,000 ft agl+) and are dispersed enough to not be detectable in any concentration at the surface. Promising strides have been made in the development of a drop in replacement for 100LL avgas. Banning or excessively taxing 100LL avgas prior to the fielding of a suitable replacement would likely incur a severe negative impact on general aviation in the state. The increased closure of aviation related small businesses (flight schools etc) would result and further restrict access to aviation to just the extremely wealthy. Increasing the cost and regulatory burden in response to perceived concerns may devastate general aviation in Colorado. Good policy is informed by facts and evidence, not fears and assumptions.</p>
<p>Kevin Gardner Amend themselves</p>	<p>Politics is not a world with which I am intimately familiar; however, aviation is my career as well as my passion. I've seen how it can bring a community together and the benefits outweigh the perceived harm. The economic gains of aviation alone are worth protecting.</p> <p>Our rapidly growing population will demand access to aviation based services whether through travel or shipping of goods. According to a release from CDOT, KDEN alone was a \$33.5B gain for the state and \$48.6 billion in revenue while supporting 345,000 including all CO airports.</p> <p>**DENVER – Jan. 21, 2020 – Today, Denver International Airport and the Colorado Department of Transportation’s (CDOT) Division of Aeronautics announced that Denver International Airport’s (DEN) contribution to the state of Colorado’s economy increased by nearly 30 percent from 2013 to 2018. This is according to the Division of Aeronautics’ 2020 Statewide Aviation Economic Impact Study. DEN has grown to become a \$33.5 billion economic engine for the state and a driver for increased business and travel.**</p> <p>That's not including smaller airports such as Centennial, Jeffco, Longmont, etc. These smaller airports are the nursery for future pilots that will be needed to keep growing Colorados economic infrastructure.</p>

	<p>I've flown countless billionaires and politicians into smaller municipal airports conducting business to grow Colorado's economy. The ability to get in and out quicky and efficiently is vital and must be protected.</p> <p>On a community scale these airports provide Generation Aviation the ability to serve its people. Numerous volunteer programs that fly sick patients to care facilities, animal rescue transport, youth outreach, STEM introduction. This is in addition to flight operations such as air ambulance, wildlife tracking and conservation, geological surveying etc. Most of these flights originate far from Denver international so it's vital to protect and fund these local airports.</p> <p>Thank you for taking time to read and consider amending CO H 24-1235.</p>
<p>Carl Castillo For City of Boulder</p>	<p>Dear Members of the Committee.</p> <p>My name is Carl Castillo and I am the Chief Policy Advisor for the City of Boulder. On behalf of the city I want to thank Representatives Brown for introducing HB24-1235 and respectfully urge the committee to support it.</p> <p>Boulder, along with many Front Range communities, is adversely impacted by aviation impacts from noise and leaded fuel. In 2023, the city experienced over 30,000 aircraft flights over noise sensitive areas below requested altitudes, thousands of operations during noise sensitive hours, over 1,000 noise complaints from community members and various aircraft noise and pollution advocacy groups. Over the last year, the city engaged with community on a conversation about the future of the airport and through feedback it was evident that these issues are important to many people in our community especially people living directly adjacent to the airport.</p> <p>Boulder city council adopted a 2024 policy statement that supports fostering the continued success of local airport business while advocating for policies that would permit local municipalities to adopt reasonable restrictions on airport operations to minimize the impact to local communities during noise-sensitive hours; provide state and federal incentives to transition to use of unleaded fuel; and evaluate airspace along the Front Range to address flight safety and enhanced airspace capacity while minimizing impacts to existing</p>

	<p>residential areas by aligning flights activities over the most compatible land uses.</p> <p>The impacts to local communities from aircraft noise and pollution remains a challenge as there are no enforcement actions local governments may currently take. While Boulder will continue to engage and collaborate with local airport users to mitigate impacts on our community, there is a need for state programs proposed by HB24-1235 to provide significant opportunities for Boulder to further mitigate aviation impacts in our community. It's important for the state to take measures like this to create uniform policies and procedures statewide that can benefit communities across the front range that are negatively impacted by the increase in aviation impacts.</p> <p>Thank you for your time and consideration.</p> <p>Carl Castillo</p>
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I am a pilot who flies out of the Boulder airport to numerous statewide locations like Del Norte, Alamosa, Durango, Gunnison, Rangely, and others. I have rescued dogs and sponsored aviation students to learn mountain flying. Our aviation industry is indeed statewide, and it affects the economy, transportation, and tourism throughout the state. Inadvertent changes, though well-meaning, could have a negative impact on airports, pilots, and on the aviation industry.

I appreciate the vision and mission of the Division of Aeronautics and the Colorado Aeronautical Board, and I'm concerned about their role going forward. They need to continue to support aviation; not become the police force. As they pointed out in their comments about this legislation, that should be left up to local jurisdictions.

I appreciate that Representative Brown held two phone calls with me and my associates to understand our concerns, and I see some improvement in the bill as a good faith effort. I would respectfully ask the committee to support the "strike below" amendment that the sponsors are offering.

As all of my counterparts at the Boulder Airport, I am committed to moving to unleaded gasoline when my airplane manufacturer says it is safe. I always practice the voluntary noise restrictions we have in Boulder and am committed to being a good neighbor.

I don't want two airports to be the determining factor for statewide legislation. Please be reasonable in your assessment of this legislation.

March 6, 2024

Request to Amend HB24-1235 “Reduce Aviation Impacts on Communities”

Dear Committee:

Thank you for the opportunity to provide my written testimony requesting that you AMEND HB24-1235. Sadly, I have an unbreakable commitment the evening of March 6th else I would have testified in person.

I am a private pilot and vintage aircraft owner, based at Rocky Mountain Metro Airport and have been flying from Metro since 1977. I am the President of the Experimental Aircraft Association (EAA) Mile High High Chapter 43 Broomfield/Erie CO representing approximately 150 pilots and aviation enthusiasts. I also belong to the Aircraft Owners and Pilots Association (AOPA), the Colorado Pilots Association (CPA), the Jeffco Aviation Association (JAA), the Vintage Aircraft Association (VAA), the Short Wing Piper Club, and the Antique Airplane Association.

I can confidently say that every pilot I have encountered – across all the associations mentioned above – very much supports the notion of safely and effectively introducing unleaded aviation fuel, specifically G100UL, to all of our 74 airports in Colorado. That “GAMI Unleaded” G100UL fuel is available and proven to be safe and effective. In 2022, the FAA approved the use of G100UL in every general aviation aircraft. It is lead-free, burns cleaner, has more BTU and hence more power than our current 100LL fuel, has greater fuel efficiency, and our engines burn cleaner and will last longer. Personally, I will use that fuel the instant it is available in Colorado! Pilots don’t need punitive “motivation” to switch to unleaded fuel – we want to switch – so please do not burden us “little people” with an extra tax on the only fuel we are able to purchase.

The core issue is that our State airports lack the infrastructure (storage tanks, pumps, and trucks) to sell G100UL fuel. Rather than impose punitive taxes to punish pilots for purchasing the only fuel available for us to purchase, why not establish financial incentives to *aggressively* bring those fuel tanks, pumps, and trucks to ALL Colorado airports. Let’s have Colorado be the first State in the nation to transition to G100UL by incentivizing airport Fixed Base Operators (FBOs) with tax breaks and grant funds to modify their infrastructure as soon as possible. That is how we quickly solve the lead issue. Please AMEND this bill to include the commonsense ideas presented by the Colorado Aviation Business Association (CABA) and the CPA.

Similarly, discussions have been presented with the Bill to attempt to limit training flights, touch-and-go operations, flight times and flight operations under the guise of

noise abatement. Again, every pilot I know wants to be a good neighbor and are very willing to align with commonsense and legal procedures to reduce noise over the houses built close to our airports.

As for the issue of the recent increase in flight training, we all know that there is a significant nationwide pilot shortage. United Airlines, for example, just opened a new multi-million-dollar training facility in Denver this month to address that shortage. Our Colorado young men and women involved in those training activities mentioned above are simply striving to secure one of those good, honest, well-paying STEM jobs in aviation. A significant number of these student pilots come from underserved communities and, as such, see a tremendous opportunity to elevate their career trajectory. Colorado prides itself of encouraging our youth to pursue STEM careers. Establishing financial and legal hurdles for our Colorado student pilots goes against that encouragement. The only result from making flight training more expensive by increasing taxes/fees or longer in duration by limiting operations is that the young Colorado student pilots will be faced with larger student loans. My son is a professional airline pilot and incurred over \$120,000 in student loans in order to successfully pursue his STEM career. It is suffocating to him. Let's not burden our current Colorado youth with an even higher student loan burden in order to achieve a STEM career and their STEM dream.

Again, I respectfully request that you AMEND HB24-1235 in alignment with the common-sense recommendations presented by CABA and the CPA.

Thank you for the opportunity to present my comments. Please contact me with any questions or comments. I am happy to help.

Dear Member of the Colorado House Committee on Transportation, Housing, and Local Government,

As a Colorado pilot, I have serious concerns with the recently introduced HB1235.

First, please know that all of us in the general aviation community are committed to the safe transition away from leaded aviation gasoline ("100 Low Lead"), as soon as a safe, viable unleaded fuel is approved by the Federal Aviation Administration and made commercially available. We are also committed to reducing noise impacts on those who wish to live near airports, to whatever extent is safe and possible.

With that, several sections of this bill seem premature; others appear to be in direct violation of federal law.

Over the past several years, much hard work has been accomplished by private industry in partnership with federal regulators to develop and test unleaded aviation fuels that will be safe to use in all piston-powered aircraft.

Airplane engines are different from automobile engines. They must be light-weight and highly fuel-efficient. The drive for efficiency has always been a positive market force throughout the history of aircraft and aircraft engine development.

The very smallest of light airplanes, with low-compression engines and low horsepower, have been approved by the FAA to use unleaded automobile gasoline for many years. However, the majority of piston-powered airplanes and helicopters that need moderate or higher horsepower must use higher-compression engines, and operate over a greater altitude range. Simply substituting unleaded automobile gasoline, or any other inadequately tested and certified fuel, would cause serious problems, such as detonation, exhaust system erosion, loss of power, spark plug fouling, and premature engine failure.

Actual scientific studies of soil and water around numerous general aviation airports around the country (specifically including BJC) have only found detectable lead concentrations from previous uses of leaded paint and other industrial uses. There has been no evidence that the use of low-lead aviation gasoline has exceeded EPA-determined safe levels or has caused any risk to humans. However, we pilots would certainly prefer to use fuel that is completely free of any lead. The problem is, at the present time, such fuel is not available for purchase, anywhere at any price.

Crippling a critical industry such as general aviation, as HB1235 proposes, does nothing to solve the problem. HB-1235 as currently written is clearly designed to destroy Colorado's general aviation industry, with an enormous economic impact throughout the state.

Those who think that shutting down general aviation won't affect them are seriously mistaken. Do you order products from Amazon and expect them to be promptly

delivered? Do you expect your mail to arrive in a few days, instead of weeks? Do you or your loved ones expect to have emergency air medical transport services? Do you expect to have your airline flight to not be cancelled due to a lack of pilots? Where do you think the pilots will come from to replace the aging airline and cargo pilot population that is retiring in increasing record numbers by the thousands every year? Those local flight schools that this legislation will destroy are the very sources of those future pilots to serve all those needs, and more.

Those small training airplanes that are training your future airline pilots typically use about 8 gallons per hour of 100LL Avgas. By contrast, that jet airliner that you fly to your next vacation or business trip burns about 900 gallons per hour of kerosene-based jet fuel. From the larger perspective, the annual consumption of 100LL is a miniscule portion of total aviation fuel, which is itself a small minority of the total fossil fuel used compared to the hundreds of millions of cars and trucks operating 24/7 on our streets and highways.

Every facet of aviation is highly regulated by the federal government. This very effectively provides a uniform set of rules that apply throughout the nation. As aircraft, by their very nature, operate over vast distances, utter chaos would reign if aircraft operators had to comply with a myriad of inconsistent rules and regulations mandated by every state and local municipality.

The FAA – and only the FAA – has the authority and responsibility to regulate aviation and to certify aviation fuels as safe. The use of non-approved fuels is a violation of federal law (Title 14, U.S. Code of Federal Regulations) and would cause airplane accidents. In attempting to solve a nearly non-existent problem of a miniscule amount of lead in the environment, you risk causing a more serious problem of “aluminum poisoning” when an airplane crashes into your house due to engine failure caused by misguided government dictates.

I do support the provision to allow the Aeronautics Division to fund a grant to airports to help with whatever infrastructure may be needed to accommodate lower octane unleaded fuel until a suitable 100 octane fuel is available, as well as the proposed tax credit to help aircraft owners obtain any required Supplemental Type Certificate in the interim.

Also, I support allowing the CAD to subsidize the price differential between any unleaded fuel and the currently available fuel as this is the most helpful thing the state could do to smooth the transition.

The good news is that the FAA has finally certified unleaded Avgas that can be used in all piston-powered aircraft. The two barriers to the immediate use of this fuel are, (1) the complete lack of an FAA- and EPA-approved mass production, distribution, and dispensing infrastructure for the new unleaded Avgas, and (2) the cost barrier caused by the anticipated higher cost per gallon. We already pay \$6 and up for 100LL avgas.

Higher fuel prices will cripple this important national resource that is our aviation system.

Much of this the bill is problematic. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law -- regulation of airspace is exclusively the purview of the Federal Aviation Administration. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times, etc.

Also, I believe that adding voting members to the Colorado Aeronautics Board who do not have aviation experience or backgrounds is dangerous; the CAB is there to direct funding for airport improvements and infrastructure, and to promote aviation safety in the state. It is inappropriate and short-sighted to have people who don't have an understanding or stake in these areas to be voting on such matters. Ignorance is not an asset.

Finally, I am deeply concerned with the proposed fee of up to 50 cents per gallon on avgas. This will severely damage general aviation in the state. This would be merely punitive, not an incentive, as there is no commercially available and approved 100-octane unleaded fuel available. There is no explanation for how an additional "tax" will in any way benefit the environment or the citizens.

Many pilots will simply buy fuel in other states, but Colorado based businesses that use piston aircraft and do not have that option will be very negatively impacted, as will be Colorado-based fuel distributors, FBO's, etc. Among the most negatively impacted will be flight schools, who would have to pass the cost along to their students. This will increase the debt load on prospective new pilots, and may discourage many from completing their training, in turn exacerbating the critical pilot shortage this nation is facing.

I urge the State of Colorado to work cooperatively with the FAA and aviation groups such as the AOPA to remove the barriers to making a safe and legal unleaded aviation fuel readily available and affordable.

I hope that you continue to listen to the aviation community in Colorado, and to your constituents who will be negatively impacted by parts of this bill. I urge you to retain the "carrot" pieces, and remove the "sticks". As always, I remain committed to being a good neighbor and I am at your service to discuss these issues.

Thank You,

Larry Kudelka, Lt Col, USAF (retired)
Parker, Colorado
720-233-6832

Master of Science, Aeronautical Engineering
American Airlines Captain (retired)
Current Angel Flight West Volunteer Pilot
Current Centennial-based charter flight captain

3/5/2024

To: Colorado House Transportation, Housing & Local Government Committee

RE: Public Hearing on House Bill 24-1235

Thank you for hearing and considering the comments of Colorado pilots like myself concerning House Bill 24-1235. I am a member of a flying club that flies out of Centennial Airport (KAPA), and though a newer resident to this state, I have come to appreciate the wonder of seeing beautiful Colorado from the skies. Inherent to the joys of flight are the freedoms we feel when we take to the skies, and the wonderful network of local airports that make this possible. Each place has a story, and passionate people who work to make their airports (and by extension their communities) accessible to all who fly. I personally have made it a goal of mine to land at every airport I am rated to land at in the state, and to connect with other aviators as I do so.

Unfortunately, it seems as though without amendments to its original construction, the Bill presented at this hearing could have severe consequences to local airports, and aviators like me who have worked hard to enjoy the freedoms of flight.

I am supportive of the safe and beneficial transition to unleaded aviation fuels, and I appreciate the fact that work has been ongoing to amend the Bill so that it does not produce unintended consequences to the aviation industry and community.

I support proposed amendments that:

1. Recognize the federal jurisdiction of airspace and do not restrict or prohibit aircraft access or operations where the FAA has not.
2. Support the safe, federally sanctioned transition to unleaded aviation fuels when they are widely demonstrated and commercially ready. It seems to me to be dangerous and unwise to mandate a fuel transition prematurely, especially when it appears that 100UL is on the way.
3. Provide support for local airports and aircraft owners to safely make the transition to unleaded fuels.
4. Remove the leaded fuel fee that would serve to further increase the cost of flight, and further push would-be aviators away from learning to fly. We already have a shortage of pilots in the United States, and I believe this fee would unnecessarily restrict more future pilots from learning to fly, considering that once again, a fuel replacement is on the way.
5. Ensure that the two new CAB committee members have an extensive knowledge of aviation, aviation safety, and airport operations. It is critical that the CAB be able to adequately weigh in on topics of airport development, infrastructure, and safety to perform their jobs.

It is my understanding that stakeholder engagement by the sponsors of this bill is already underway, and that amendments that reduce the adverse impacts to aviation in Colorado are being proposed. I would ask that this collaboration continue for the benefit of all residents of Colorado, ensuring that we move forward towards a transition to cleaner fuels while keeping the skies accessible to all those who dream of seeing this beautiful state from above.

Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Philip DeAugustino", written over a light gray rectangular background.

Anthony Philip DeAugustino

As currently written, House bill 24-1235 includes language that would be harmful to Colorado aviation and if passed unchanged, would serve as a concerning legislative precedent for other states.

Colorado aviation supports communities during times of emergency.

Colorado aviation enhances the economies of local communities.

Colorado aviation inspires and educates Coloradan youth to careers in aviation, science, and engineering.

As a Colorado pilot, I have concerns with the recently introduced HB1235.

To begin, we in the general aviation community are committed to the safe transition away from leaded gasoline, as soon as a safe and viable fuel is provided and made commercially available.

The bill appears to be in violation of federal law. First, the sections calling for policies and plans to "prevent and mitigate" lead and noise contravene federal law, as regulation of airspace is exclusively the jurisdiction of the FAA. Furthermore, public-use airports cannot discriminate against airport users, or restrict flight times.

I believe that adding voting members to the Colorado Aeronautics Board (CAB) who do not have aviation experience is potentially dangerous. The CAB is there to direct funding to airports for improvements and infrastructure upgrades, and to promote aviation safety in the state. It is inappropriate for the CAB to have members of the board who do not have an understanding or stake in these areas to be voting on these matters.

I am also concerned with the proposed fee of 50 cents per gallon on aviation fuel. This will severely damage general aviation in the state. As an illustration, I am a member of a local soaring club. Our organization routinely serves as a spring board for youth members to fulfilling careers in aviation (including military aviation). Learning to fly in a soaring club is likely one of the most cost-effective ways youth can explore an aviation career. A 50 cent tax per gallon on aviation fuel will impact our modest organization, as we will have to modify our fee structure to offset cost of our glider towing operations. Thus, the additional cost will be borne by the membership. This will negatively and inequitably impact our members and youth who have chosen soaring as a more cost-effective way into aviation careers.

The proposed fee will also negatively impact the debt load of students who have chosen various flight schools in Colorado as the fee will be passed on through increased costs. This has the potential to exacerbate the critical shortage of pilots in the United States.

I hope the legislators continue to listen to the aviation community and to the constituents who will be negatively impacted by certain portions of this proposed bill. I urge that the "sticks" be removed and the "carrots" retained.

Sincerely,
Todd Hahn
Member, Black Forest Soaring Society

My views may not be representative of other members of the Black Forest Soaring Society, nor am I speaking on their behalf.