



**COLORADO**

**Department of Transportation**

Division of Aeronautics

# PROGRAMS & PROCEDURES MANUAL

VERSION 2020-A - APPROVED AUGUST 26, 2020

## APPROVAL/REVISION HISTORY

CAB APPROVAL	VERSION	DESCRIPTION
8/26/2020	2020-A	<ul style="list-style-type: none"> <li>- Updated Sec. 2.3.1 to clarify federal matching grant cap applicability</li> <li>- Added Sec. 5.12 to incorporate the new Division Awards Program</li> </ul>
8/28/2019	2019-B	<ul style="list-style-type: none"> <li>- Updated Sec. 2 to align with current CDAG program funding</li> <li>- Updated Sec. 3 to incorporate new statewide programs and new portal address</li> <li>- Updated Sec. 4 to align with current CDAG application process</li> <li>- Updated Sec. 5.1 to align with current AWOS program practices</li> <li>- Updated Surplus Equipment Program policy - Sec 5.8</li> <li>- Updated version numbering</li> </ul>
1/28/2019	6.3	<ul style="list-style-type: none"> <li>- Updated AWOS Program policy - Sec. 5.1</li> <li>- Updated Aviation Education Grant Program policy - Sec. 6</li> <li>- Annual routine updates</li> </ul>
10/10/2018	6.2.1	<ul style="list-style-type: none"> <li>- Clarified airport funding eligibility - Sec. 1.4</li> <li>- Updated Crack Fill Program policy - Sec. 5.4</li> </ul>
4/11/2018	6.2	<ul style="list-style-type: none"> <li>- Added Contingency Fund process - Sec. 1.6</li> <li>- Added Grant Assurances - Sec. 2 and Appendix B</li> <li>- Annual routine updates</li> </ul>
6/8/2017	6.1.1	<ul style="list-style-type: none"> <li>- Updated Sec. 4.1 to include airport profile data requirement</li> </ul>
1/23/2017	6.1	<ul style="list-style-type: none"> <li>- Added new excise tax disbursement process - Sec. 1.4</li> <li>- Annual routine updates</li> </ul>
3/9/2016	6.0	The new Programs and Procedures Manual replaces the Grant Program Manual and more thoroughly covers various programs, procedures and policies of the Division.

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# 1. The Colorado Aviation Fund Overview

## 1.1 Guiding Statutes

The Colorado Division of Aeronautics (“Division”) was created and operates pursuant to Colorado Revised Statute (“CRS”) [43-10](#).

The Colorado Division of Aeronautics Mission Statement provides the basis by which the Division is operated.

### **Our Mission**

“The mission of the CDOT Division of Aeronautics is to support Colorado’s multi-modal transportation system by advancing a safe, efficient, and effective state-wide air and space system through collaboration, investment, and advocacy.”

## 1.2 Colorado Aeronautical Board

The Colorado Aeronautical Board (CAB) was created by [CRS 43-10-104](#) and is comprised of seven members appointed by the Governor. Each position is responsible for a specific demographic of aviation throughout Colorado; their responsibilities are as follows: two represent eastern slope governments; two represent western slope governments; one represents the statewide association of airport managers; one represents the statewide association of pilots; and one at large position represents statewide aviation issues, interests, and concerns. Appointments are made to ensure a broad and balanced representation of the state’s aviation community. Pursuant to [CRS 43-10-104](#) board member terms are three years and as of the date of this document, board appointments are limited to two consecutive terms by policy of the Governor. The current board members are listed on the Division website under the Aeronautical Board tab.

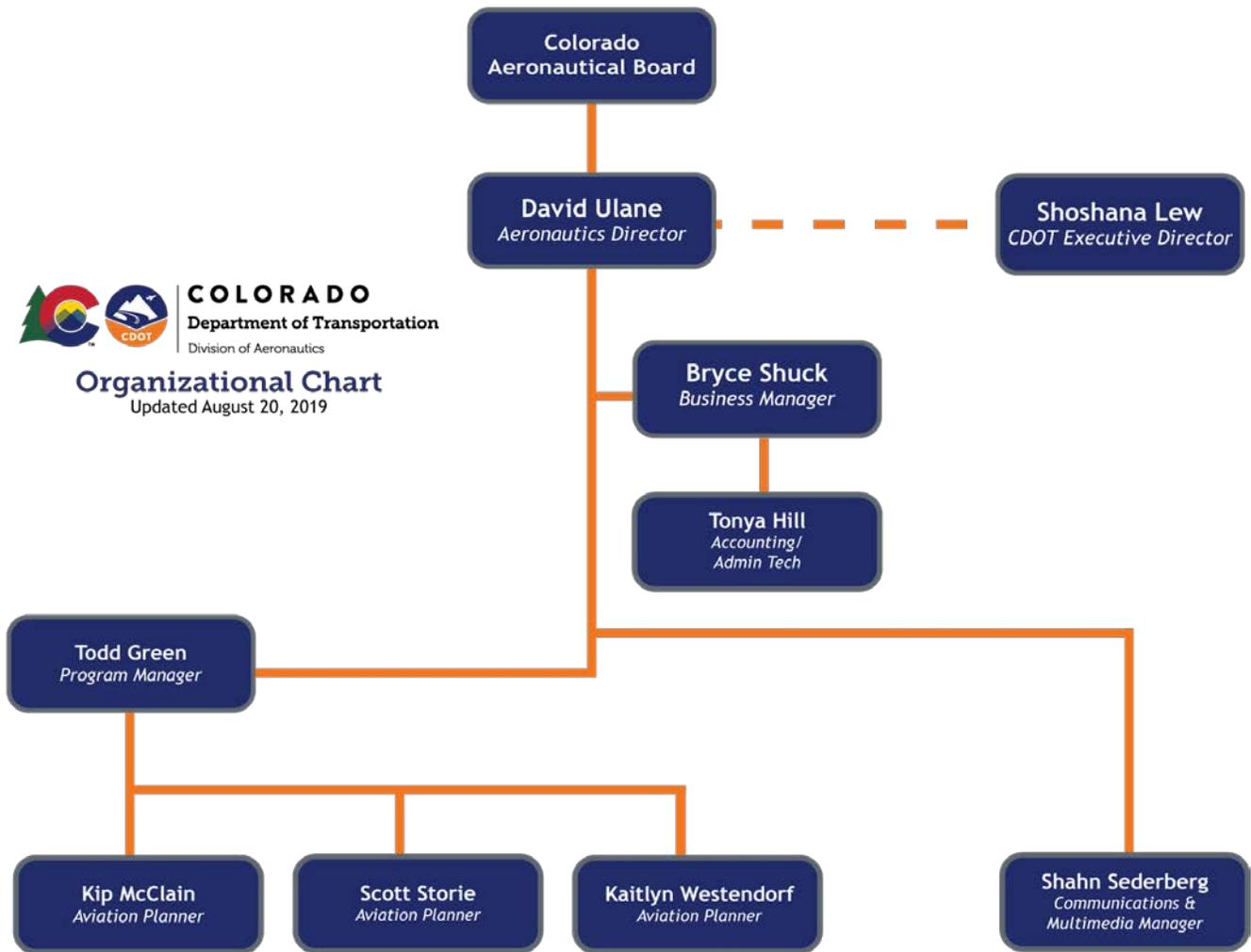
The CAB has overall responsibility for the Colorado Discretionary Aviation Grant (CDAG) program. By statute the CAB carries out this function by establishing procedures for the administration and distribution of moneys credited to the aviation funds created in [CRS 43-10-109](#), for aviation purposes as defined in [CRS 43-10-102](#), at eligible Colorado public use airports. There are several ways the CAB

oversees the CDAG program. The following are some of the more critical elements of the CDAG program and how the CAB oversees them:

- 1) Set policy for eligible projects (approval of this document)
- 2) Review and comment on submitted projects (CAB grant review meeting)
- 3) Determine project status (determined at CAB grant review meeting)
- 4) Approve or reject grant projects
- 5) Set policy for administrative changes to grants (approval of this manual)
- 6) Set budget for CDAG program based upon forecasted Division revenues

The CAB usually holds board meetings every other month. Typically, at least twice per year the CAB will meet at remote locations throughout the state in order to make in person attendance to the meetings more accessible to the public. A calendar of tentative meeting times, dates and locations is approved by the CAB each year in the fall. The Division also provides live streaming of the CAB meetings accessible through the Division's webpage at:

<https://www.codot.gov/programs/aeronautics>.



### 1.3 Revenue & Expenditure Structure

The Colorado Aviation Fund was created by statute [CRS 43-10-109](#) in 1991. This legislation allowed the Division to collect taxes on aviation fuel and invest those funds in Colorado’s aviation system. This section describes how the Division, under the direction of the CAB, administers the Colorado Aviation Fund.

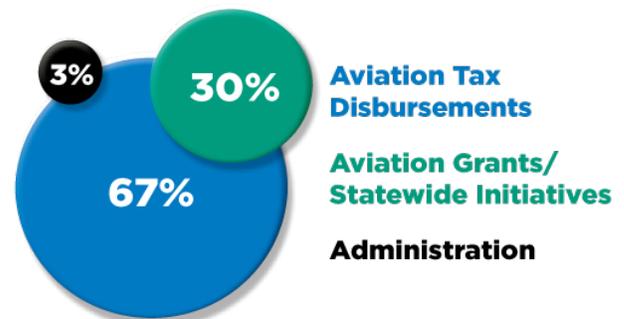
The Division’s revenue is derived solely from taxes on aviation fuels sold at Colorado airports. There are two types of fuel that are taxed, avgas (100LL) for piston engine aircraft and jet fuel for turbine powered aircraft. There are two types of tax on these fuels, excise and sales. Avgas has a six cents per gallon excise tax and non-airline Jet fuel has a four cents per gallon excise tax. All jet fuel, non-airline and airline, is subject to a 2.9% sales tax on the retail price. These taxes are collected by the Colorado Department of Revenue and then are deposited into the Aviation Fund to be administered by the Division.

Airports eligible to receive benefits from these taxes pursuant to [CRS 43-10-103\(4\)](#), [CRS 43-10-108.5](#) and [CRS 43-10-110](#) do so in two different ways: discretionary aviation grants and airport fuel tax disbursements. The discretionary grant program is covered in the next section. Airport tax disbursements are the portion of the tax that is collected at an airport, which is then returned directly to the airport based on the type and quantity of fuel sold. Pursuant to [CRS 43-10-110](#) tax disbursements are the full four cents per gallon jet fuel excise tax, and four cents per gallon of the avgas excise tax. The sales tax on jet fuel is disbursed at a rate of 65% of the total sales tax that was collected. Tax disbursements can only be used for aviation purposes as defined in [CRS 43-10-102](#). On average, the airport formula disbursements account for nearly 67% of the money expended from the Aviation Fund. The remaining funds, less the Division’s administrative costs, (capped statutorily by [CRS 43-10-109\(3\)](#) at 5% of the previous year’s total gross revenue), are used to fund the Colorado Discretionary Aviation Grant (CDAG) Program.

### Aviation Tax Revenue Structure



### Aviation Tax Expenditures



## 1.4 Airport Funding Eligibility

Nearly 500 airports exist statewide and they range in size from small private-use strips to the 53 square mile footprint of Denver International Airport. Eligibility for Division funding, including CDAGs, statewide initiatives, and fuel tax disbursements for Colorado airports is defined by [CRS 43-10-103\(4\)](#), [43-10-105](#), [43-10-108.5\(2\)](#), [43-10-108.5\(5\)](#), and [43-10-110](#). The statutes require that these funds be utilized “solely for aviation purposes.” See [CRS 43-10-102](#) for the definition of “aviation purposes”. These eligibility criteria limit Division funding to Colorado airports owned by public agencies (political subdivisions of the state) and privately owned airports included in the FAA’s National Plan of Integrated Airport Systems (NPIAS).

## 1.5 Fuel Tax Disbursement Process

### 1.5.1 Excise Tax Disbursements

Airport fuel retailers are required to submit to the Colorado Department of Revenue (DOR) a Distributor monthly tax return report and payment for the purchases of aviation fuel each month. At that time, the DOR updates its Colorado Fuel Tracking System (COFTS) with DR7050 filings received from tax filers. This information is made available to the Division via an Excel spreadsheet data extract after the 25th of every month for the previous month's filings. COFTS contains gallons of fuel sold, fuel retailer, location of purchase (airport), Bill of Lading (BOL) number, and invoice number. Several times per month DOR transfers funds collected for tax receipts from the state's treasury into the Division's fund (160) tracked in CDOT's accounting system (SAP). At the end of each month, the Division calculates monthly excise disbursements based off the monthly COFTS spreadsheet from DOR. The figures refunded back to the airports are straight from the COFTS report, and do not need to be claimed monthly by airports, unless they have some shown on the exception list (not tied to a specific airport based on COFTS data. The Division processes monthly excise disbursements in SAP which generates a disbursement to the airport operating authority that sold the fuel. Monthly disbursement reporting is made available to each airport and is sent via email.

### 1.5.2 Sales Tax Disbursements

Airport fuel retailers are required to submit to the DOR a distributor monthly tax return report and payment for the purchases of aviation fuel each month. The DOR sends to CDOT a monthly summary of the sales tax related transactions via paper, and also transfers funds for taxes collected for that filing period from the treasury account into SAP several times per month. DOR also produces a text file extract of airport sales tax transactions, sends that to CDOT via an FTP server, and then Division staff load that data file into the Division's Web-based Information Management System (WIMS). WIMS calculates the 65% sales tax disbursement amount for each qualifying airport, and produces a SAP interface file that generates the amount of each disbursement. Each entry is subsequently reviewed and then approved for payment by the Business Manager at the Division, and the reporting details of the disbursement are available to the airport via their WIMS account each month.

More information can be found within the Aviation Fuel Tax section of the Division's website:  
<https://www.codot.gov/programs/aeronautics/FuelTax>

## 1.6 Budget Development Process

The budget development process starts with forecasting revenues for the Division, which then feeds into a budget summary presented to the Transportation Commission of Colorado (TC) and the CAB for their review and approval (The TC only approves the Administrative portion of the Division's budget). That provides the Division Director with a forecast of how much funding is anticipated to be available to support the CDAG, statewide initiatives, fuel disbursements, and administrative costs for the upcoming year.

Next, several budget workshops are completed with staff to begin to outline the details and potential amounts of the work plan for the coming year, and that is then combined with the anticipated statewide Capital Improvement Plans (CIP) data from the FAA and our airport partners. A budget work plan spreadsheet is completed that captures this working data, where the Business Manager and staff delineate which SAP cost centers are to receive allocated budgeting. Since the Division runs a balanced budget annually, the forecasted revenues must tie to the known and forecasted expenditures for that fiscal year.

CDOT's overall process and timeline is described below in the graphic depicting the high level process steps and timeline. Since the CAB must review and approve annual budgets the Division must be a month ahead of the timelines below to allow adequate time for CAB review and approval.

The first graphic below shows an abbreviated timeline of the budget process, which shows that three fiscal years are typically managed and planned concurrently.

## 1.7 Contingency Fund

As the Division's revenue stream is dependent on both the volume of aviation fuel sold in the state, as well the price (which can be particularly volatile), the Division has implemented a contingency fund to hedge against future fluctuations in fuel flowage and fuel prices.

Specifically, this fund will:

- Support CDOT's cash management goals and be consistent with CDOT's overall cash management strategies.
- Protect the Division from future over-obligations of the Aviation Fund.
- Provide for a dedicated and protected portion of the Division's aviation cash balance for the contingency fund.

- Sustain a risk-based contingency fund balance (within the Division’s fund 160) that is indexed to the Division’s current obligations and subsequent year discretionary aviation grant (CDAG) and statewide initiative commitments, in the event of a prolonged worst-case reduction in aviation fuel tax revenues (\$40/bbl. oil price and a reduction in DEN fuel flowage to 35 million gallons per month average for more than 12 consecutive months).
- In the event of a worst-case revenue reduction, provide airports and other Division stakeholders with more than a year’s notice of Division program reductions necessary to maintain an adequate aviation fund balance.
- Maintain an obligated and reasonable aviation fund balance that is neither too low nor too high.

### 1.7.1 Fund Balance/Reporting

“Loading” of the initial contingency fund balance will take place during CY2018. Once established, a report on the current contingency fund balance vs. the contingency required will be presented in detail to the CAB at least quarterly at a regular CAB meeting. Additionally, the current contingency balance vs projected need will be illustrated graphically as a new slide on the Division’s regular financial dashboard reports.

### 1.7.2 Fund Balance Adjustments/Communications

Should the contingency fund balance report indicate at any point that the current or projected balance may be higher than necessary, staff will include a recommended adjustment to the CAB at their annual budget meeting, with the excess contingency returned to the Division’s budget for future use in the CDAG program and/or statewide initiatives.

Should the forecasted Division revenues decline to a point where staff believes the contingency needs to be utilized to meet the obligations outlined above, and that subsequent years’ programs may have to be adjusted, staff will make such recommendation to the CAB. Following CAB consideration/approval, staff will also immediately communicate such adjustments to the Division’s airports and other stakeholders to allow them adequate time to adjust their local plans and budgets.

## 2. The Colorado Discretionary Aviation Grant Program

### 2.1 Introduction/Grant Assurances

The Colorado Discretionary Aviation Grant (CDAG) Program was developed to maintain and improve the statewide aviation system. This is achieved by providing grants that help meet individual airport and statewide aviation goals and needs pursuant to [CRS 43-10-108.5](#), as well as this document. In addition to the eligibility and application requirements described in this section, airport sponsors that receive CDAG funding must also make certain assurances to the State. These assurances are in place to encourage the safe and efficient operation of airports as well as ensure that investments made by the State are utilized for aviation purposes during the expected life of the funded project. Assurances are incorporated through an approved and fully executed grant contract. See [Appendix B](#) for a copy of the Grant Assurances.

### 2.2 Capital Improvement Planning

Eligible airport sponsors, as detailed in [section 1.4](#), seeking Division and/or Federal Aviation Administration (FAA) funding assistance are required to maintain and submit an updated airport Capital Improvement Plan (CIP) to the Division annually. This CIP represents a plan for airport projects in the near-term (1-5 years), mid-term (6-10 years), and long-term (10+ years) periods. A CIP is purely a planning document and is neither a commitment nor guarantee of funding from the Division or the FAA. To ensure efficient and prioritized use of the limited funding that the Division and FAA programs offer, airport grant applications must be based on projects within an accepted CIP and contain defined project cost estimates and associated project diagrams. The Division works jointly with the FAA's Denver Airports District Office to manage the annual airport CIP update process for the State of Colorado.

The CIP update process typically begins in October at the Division's annual CIP Workshop. Following the workshop, an email is sent to each airport requesting an update to their CIP in WIMS. The following details the benefits, required contents and specific steps in completing the CIP development process.

The CIP process provides many benefits including:

1. Allowing for a systematic evaluation of all potential projects simultaneously
2. The ability to review projects statewide for trends and possible economies of scale
3. Ensuring projects help to achieve the goals of the Colorado Aviation System Plan

4. The ability to assist with the prioritization of projects to maximize funding
5. Accommodating the needs of airports with the available funding
6. The opportunity to focus on preserving airport infrastructure while ensuring the efficient use of funding

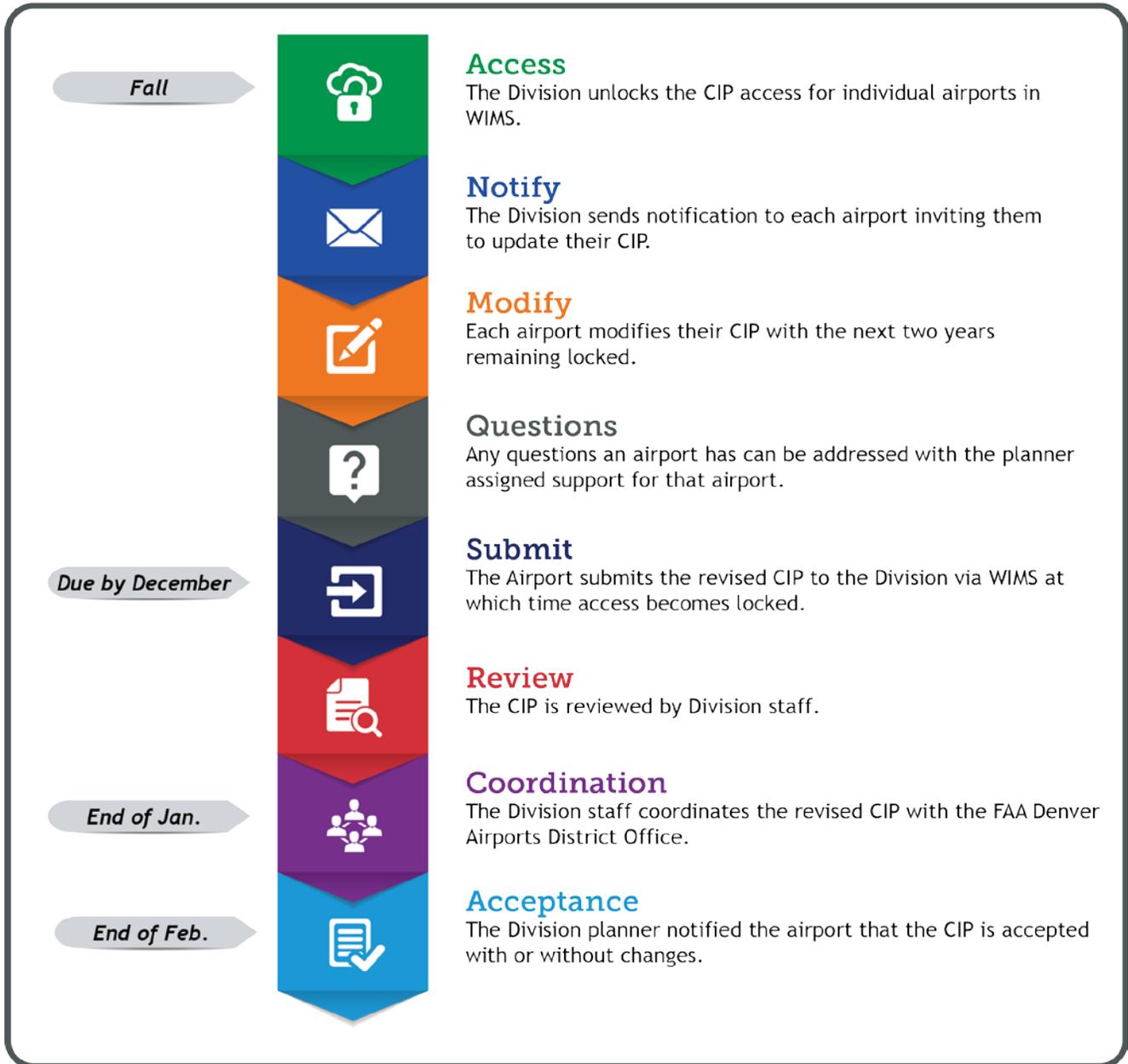
CIP's typically includes:

1. A listing of capital projects, equipment needs, or planning studies in the year planned to be undertaken
2. The projects ranked in order of preference
3. The plan for financing each project including all funding sources
4. Locally funded projects to show local commitment to the airport
5. An exhibit depicting the location of each project on the airport and associated year

The flow chart below depicts the CIP update process:

# Capital Improvement Plan (CIP)

## Update Process



## 2.3 Determining State Grant Eligibility, Priority, and Funding Levels

While FAA's policies and guiding documents are very structured regarding project eligibility, priority, and funding levels, the Division has much more flexibility in these areas. Except for statutorily ineligible projects as defined in CRS 43-10-109.2.c "It is not the intent of the general assembly that the moneys available for expenditure pursuant to the provisions of this subsection (2) be used to supplant any federal moneys which may be available to airports, governmental entities operating FAA-designated public-use airports, or the division pursuant to federal law." and 43-10-102.3.VIII.b "Subsidization of airlines is expressly prohibited as an aviation purpose except for the promotion and marketing of air service at airport facilities." the CAB has the discretion to determine how the CDAG program should operate. This broad discretion allows the Division to focus on project priority rather than eligibility to support airports.

An important consideration is that the Division strives to maintain a strategic mindset when approving projects for inclusion into airport CIPs with the overarching goal of issuing grants that not only satisfy local needs, but contribute to the general advancement of Colorado's aviation system. Division planners evaluate projects for their potential to address the performance measures, goals and priorities as established in the current Colorado Aviation System Plan (CASP) described in section 5.9. Linking as many grants as possible to one of these specific performance measures, goals or priorities enables the Division to measure the overall performance and effectiveness of the CDAG program. Projects that do not directly relate to a goal of the state aviation system plan are still eligible for grants; however, they may not compete as well for funding. Therefore, sponsors should develop projects that not only provide for the long-term viability of their airports, but also enhance the statewide system's capability to meet the demands of its users.

Generally, the priority for state funding begins with federal match projects; the next priority is the pavement maintenance of existing primary movement areas beginning with primary runways, followed by taxiways, and then aprons. There are many variables that may affect the prioritization of funding year to year, including but not limited to FAA national priorities, federal and Division funding levels, project costs and viability, ability of a project to meet system goals and demand, and the number of higher priority projects requested in a given year.

Although the Division generally follows the "runway out" philosophy practiced by the FAA, it retains the flexibility to support projects that may otherwise remain low on the priority chain. These lower priority projects, such as utility infrastructure or fuel farms, not only may have a potential impact to the sustainability of individual airports, but more importantly, may provide the pilot community with

a wider range of services and facilities to choose from as they navigate Colorado's system of airports. To aid in bringing these projects to fruition, the Division staff and CAB have separated funding for the CDAG program into two types, Federal Match and State & Local.

Any airport with questions about a proposed project's eligibility or funding priority should contact their planner for more information.

### 2.3.1 Federal Match Funding

Federal match funding is allocated for airports around the state that receive federal funding for their capital improvement projects. This federal financial assistance requires the local sponsor to provide matching funds, typically 10% of the project cost. The Division can assist airport sponsors with their local match requirement by providing the airport CDAG funding to cover 50% of the local match requirement up to a cap of \$250,000 per fiscal year per airport. The \$250,000 cap does not apply to federal entitlement dollars that airports might save for several years and then receive in a single year. With a federal matching CDAG funding typically results in a federally funded project with allocations of 90% Federal, 5% State, and 5% Local.

### 2.3.2 State and Local Funding

State and local funding is allocated for projects, or a portion of projects, that are not funded through a federal grant. This funding requires a local match component to support the state funding requested. Local match can come in one of two ways, either cash or in-kind work. State and local projects have a typical split of 90% state/10% local funding. However, if extenuating circumstances exist and an airport is unable to accommodate their 10% local match requirement, the CAB has the discretion to approve funding with a lessor local contribution. However, it should be noted that any potential grantee applying for funds with at least a 10% local contribution is usually more compelling to both the Division and CAB as it displays the priority and level of commitment the airport sponsor is investing in the project. State and local-only projects are dependent on available state funds and are subject to the grant assurances described in Section 2.1.

The CAB retains the discretion and authority of final approval or denial of all grant applications, grant amounts and match percentages. Typically, the greater the percentage an airport sponsor is willing and capable of funding the more likely the Division is to support the request.

### 3. Web-Based Information Management System (WIMS)

Over time, the CDAG program and other Division initiatives have become increasingly complex to administer. Coupled with this, the development and implementation of numerous statewide programs to improve aviation safety, capacity, and economic impact has created a need to enhance the efficiency of existing administrative methods. As a result, the Division has implemented the Web Based Information Management System (WIMS). WIMS is a web-based “cloud” solution for tracking and management of the CDAG program, CIPs, aviation fuel sales tax disbursements, and various statewide initiatives including the recently added Airport Sustainability Program ([see section 5.11](#)). Since it is the only system currently available that enables participation in several key programs on offer by the Division, eligible airports must create and maintain access to an individual WIMS account. For more information regarding WIMS programs, please refer to the following sections of this document:

- CDAG Request Procedure - [Section 4](#)
- Capital Improvement Planning - [Section 2.2](#)
- CDAG Draw Down (Reimbursement Request) - [Section 4.9](#)
- Airport Sustainability Program - [Section 5.11](#)
- Aviation Management Internship Program - [Section 5.2](#)
- Crack Fill Reimbursement Program - [Section 5.4](#)
- Airport AWOS Program - [Section 5.1.2](#)
- Surplus Equipment Program - [Section 5.8](#)

For additional assistance or to request access to make changes to an airport account, please contact the Division at 303-512-5250. For existing account holders, WIMS and basic help videos are accessible at: <https://wims.force.com/WIMSCommunityPortal>

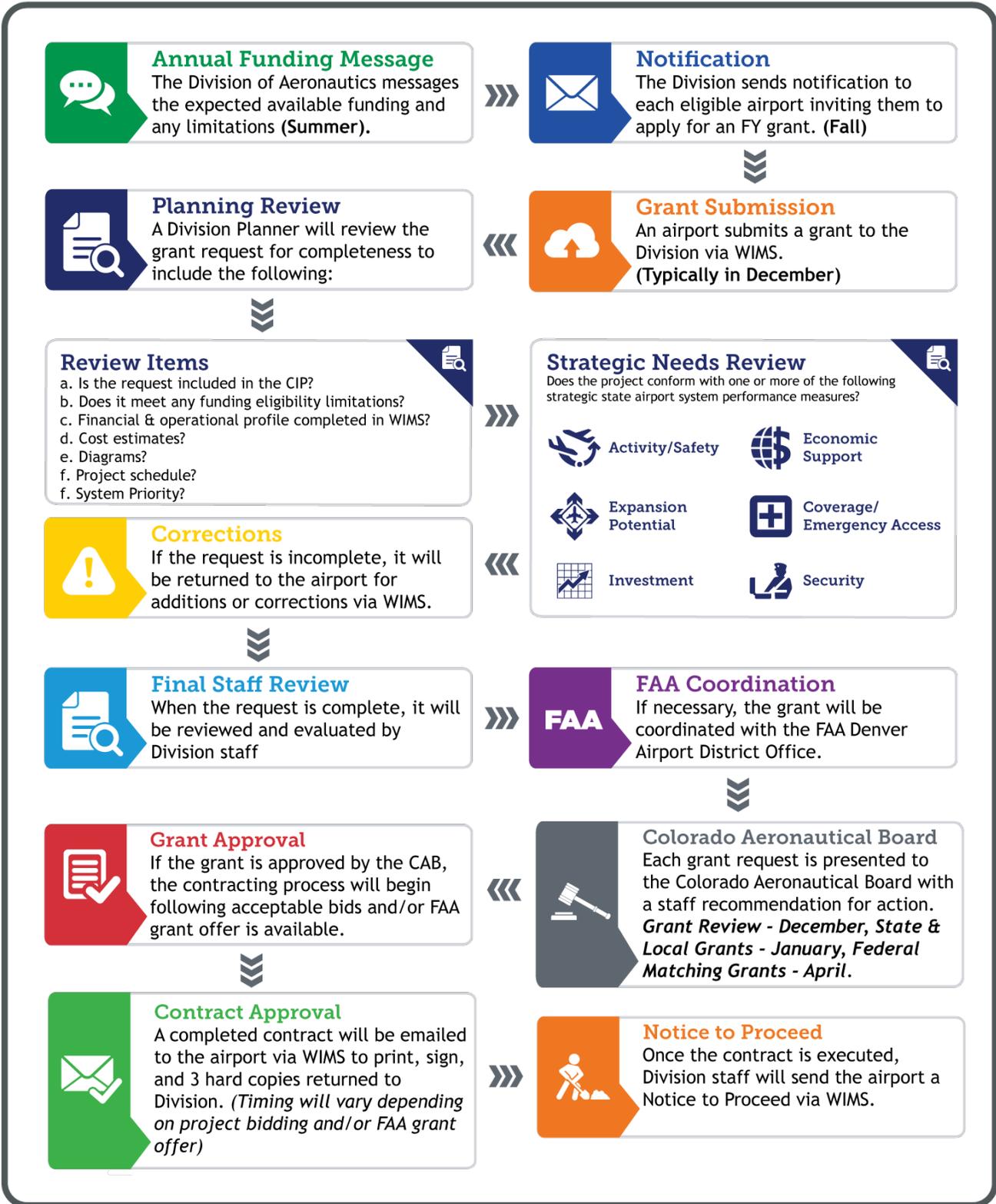
## 4. Colorado Discretionary Aviation Grant Request Procedure

### 4.1 In-Cycle Requests

The regular CDAG cycle takes place with annual grant hearings before the CAB, typically in January for state and local applications and April for federal match applications. The state and local grant applications are also reviewed at a prior CAB meeting, typically in December. In preparation for the grant hearings, each airport is required to update their five year CIP in WIMS, as described in [section 2.2](#). Following the completion of the CIP update process, the Division begins the grant solicitation process. The submitted applications should reflect projects authorized for inclusion in the most recent CIP update. In order to be eligible to submit a CDAG application, the airport must have completed and updated its Operational and Financial profile sections in WIMS. The Division planners are responsible for ensuring that the prerequisites have been accomplished and that each grant application is complete and ready to be presented to the CAB for consideration. If funding is approved, the Division planners begin the process of developing and disseminating each grant contract. The contracting process for state and local grants will start immediately upon CAB approval; conversely, contracting for federal match grants will not commence until the associated federal grants have been awarded. Below is a flow chart that details the in-cycle grant request process.

# In-Cycle Discretionary Aviation Grants

## Request Process



## 4.2 Out-of-Cycle Requests

Out-of-cycle requests are those applications that are submitted outside of the regular grant cycle described above and are divided into two categories, time-sensitive funding and supplemental funding. Prior to submitting out-of-cycle grant requests, airport sponsors should confer with the Division planning staff to ensure that the proposals will meet all eligibility requirements. Once the Division concurs, the sponsor will receive verbal approval and an application can then be completed and submitted through WIMS. Out-of-cycle grant requests are subject to the same evaluation criteria and administrative processes as in-cycle requests. Out-of-cycle grant requests must receive staff recommendation and require consideration by the CAB.

### 4.2.1 Time-Critical Funding Requests

Justifications for time-critical grant request are detailed below:

1. An emergency situation that impacts safety or operations.
2. An unanticipated state of affairs that negatively affects an airport and that due to timing, cannot be addressed in the normal cycle.
3. The emergence of an opportunity that due to specific timing will provide an advantage that would otherwise be lost if the grantee waited until the normal cycle.

### 4.2.2 Supplemental Funding Requests

A supplemental grant application is required in order to request additional funding on an existing executed grant. Each supplemental funding request must be submitted in WIMS and is evaluated by Division staff with the same process and criteria as an in-cycle requests. All supplemental requests must receive staff recommendation and require consideration by the CAB.

## 4.3 Grant Evaluation Criteria

### 4.3.1 Capital Improvement Plan (CIP)

An important piece of evaluation criteria for CDAG funding requests is to ensure that projects were identified in the airport's CIP. More information on the CIP and the CIP update process can be found in [section 2.2](#).

### 4.3.2 Historical Performance

As discussed previously, the Division uses WIMS to track and measure the expenditures of all awarded state grants. Upon issuing the notice to proceed, the Division will monitor activity across each fiscal year throughout the life of a particular grant. To the greatest degree possible, airport managers and sponsors should draw funds from these grants on a regular and consistent basis, since noticeable lack of activity with an abundance of state supplied money on balance could adversely affect an airport's ability to secure future grant consideration. This is particularly important to those airports that have several concurrent open grants on their books.

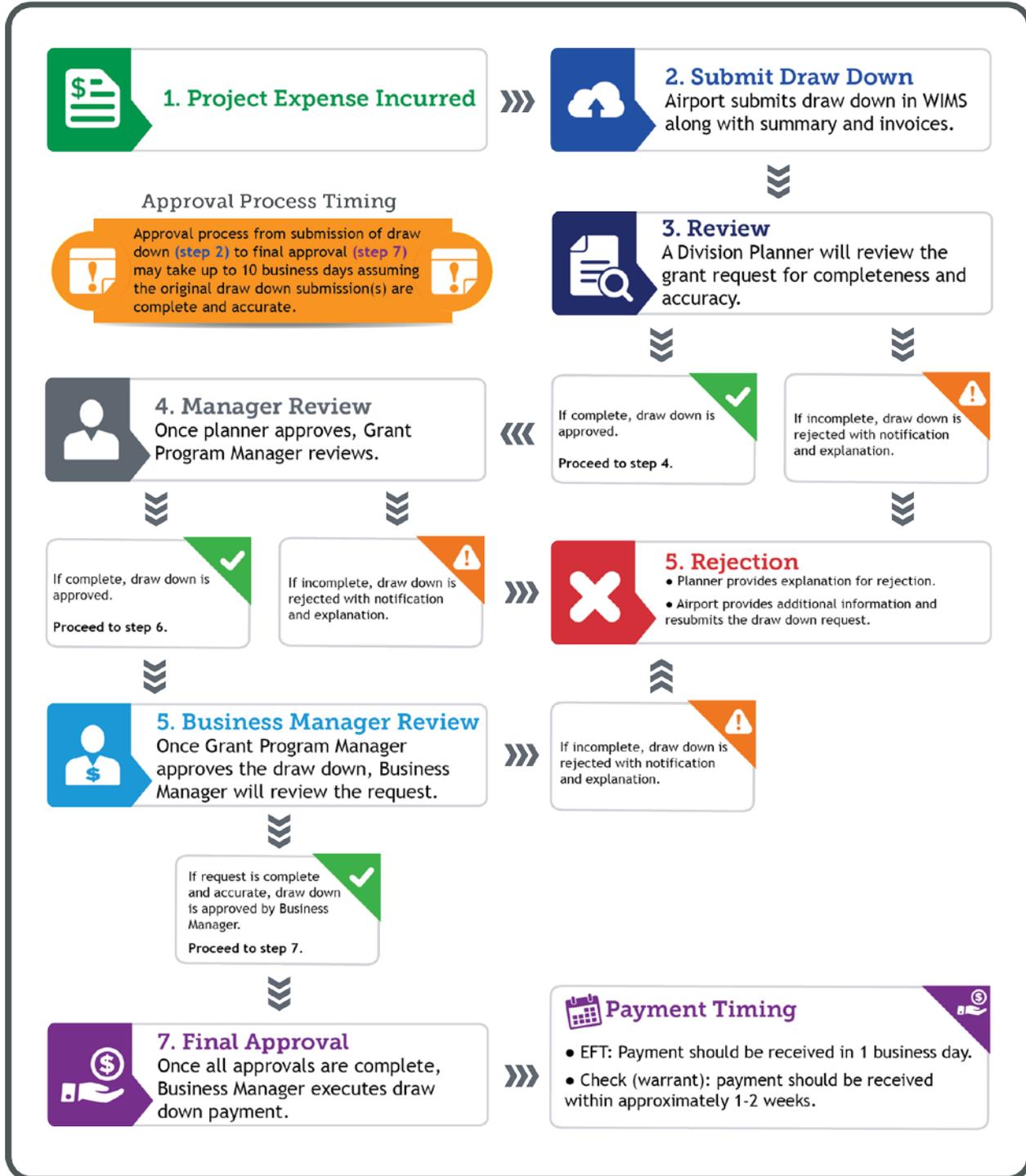
## 4.4 Administrative Amendments

Administrative amendments are contract modifications that do not require additional funding beyond the original CAB grant award and are consistent with the original scope of work. For instance, a contract can be amended simply to extend the term beyond the typical three-year lifetime. Other examples include boosting the state match up to the original CAB-awarded amount or shifting funds between grant elements.

Amendment requests are accompanied by justification provided by the airport, are processed administratively by Division staff and require CAB notification only. Any request for a modification that does not fall within the definition of an administrative amendment must be considered and approved by the CAB prior to execution.

## 4.5 Grant Reimbursement Request Procedure

### Aviation Grant Draw Downs Request & Payment Process



## 5. Statewide Aviation Programs

[CRS 43-10-108.5](#) specifies that the Division may be the recipient of state aviation system funds for the purposes of implementing statewide aviation projects. The Division has utilized this ability to create several statewide programs that have a significant positive impact on the Colorado aviation system. Those programs are described in detail within this section.

### 5.1 Automated Weather Observing System (AWOS) Program

The State of Colorado has a diverse landscape that ranges from the eastern plains to the towering Rocky Mountains. This vast difference in geography creates unique atmospheric challenges for pilots and history has shown that weather conditions are common factors in general aviation accidents in Colorado. The eastern plains struggle with ever-changing winds while Colorado's mountain regions require higher cruising altitudes, causing many smaller general aviation aircraft to operate near or above the limits of their performance capabilities. These factors, coupled with high density altitude and rapidly changing weather typically result in several accidents each year.

In order to better inform pilots and increase the overall safety of the flying public, a vast network of 62 automated weather observation systems has been developed throughout the State. This network consists of 42 Automated Weather Observing Systems (AWOS) and 20 Automated Surface Observing Systems (ASOS). Each AWOS is owned and operated by the Division (13 units - Mountain AWOS Program) or by an individual airport (29 units - Airport AWOS Program) while all of the ASOS units are owned and operated by the FAA.

#### 5.1.1 Mountain AWOS Program

The Mountain AWOS program, made up of 13 state-owned units, was developed by the Division in 1999 to help reduce weather related accidents, and provide pilots operating in Colorado's mountainous regions with more accurate localized weather information. These sites were situated on several critical mountain passes along established flight routes, none of which had adequate weather information available prior to this program.

The Division is directly responsible for the installation and support for each of the 13 units and contracts annually with the State of Colorado's Office of Information Technology (OIT) to provide ongoing maintenance and certification for each site. To ensure this important service is performed in a timely manner, OIT has integrated a network of certified AWOS technicians at various locations in the State. AWOS repair and maintenance can be a daunting proposition since most sites are

positioned atop remote mountain passes. To highlight these challenges to the public, the Division, in cooperation with OIT, developed a video detailing the arduous process to keep these secluded sites operational. To view this video please click on the link below.

[AWOS Maintenance Video](#)

The Division is also responsible for ensuring the weather information from each unit is disseminated through the National Database to the flying public. The Division contracts with IWAPI Inc. and the National Association of State Aviation Officials (NASAO) to perform this critical service for all 13 sites.

### 5.1.2 Airport AWOS Program

Beyond the Division's Mountain AWOS Program, 29 airports throughout Colorado own and operate AWOS units to provide accurate weather for the pilots operating in the vicinity of each of these airfields. These non-state owned AWOS units are indispensable to providing critical enroute weather information for overflying pilots and to the National Weather Service to develop regional forecasts. Individual airport sponsors are responsible for all costs associated with maintaining their systems; ongoing scheduled maintenance as well as unscheduled repairs to equipment malfunctions may exceed \$10,000 annually.

Since safety is a key aspect of the Division's mission statement, the Division allocates funding for the Airport AWOS program on an annual basis to ensure that this vital network continues to provide widely accessible weather data. Each airport that owns and operates an AWOS and has its weather information continuously disseminated to the National Weather Database is eligible for reimbursement of maintenance expenses not to exceed 90% of eligible costs up to \$10,000 of state funding annually. This reimbursement can be used to help offset the expenditures for most items associated with sustaining an AWOS. However, to ensure that funding for this program has the greatest benefit statewide, the Division expects to maintain Cooperative Purchasing Agreements with authorized vendors that provide AWOS maintenance services. These agreements are to include hourly rates along with prices for Tri-Annual Inspections and Unscheduled Service Visits for each airport-owned unit around the state along with an explanation of the service levels provided. Although encouraged, airports are not required to use a vendor with whom the state has a Cooperative Purchasing Agreement to be eligible for reimbursement. However, they must perform a competitive bid process, as locally required, when selecting a vendor that is not party to such an agreement.

Participation in the Airport AWOS Program is limited to those Colorado airports eligible for funding pursuant to [Section 1.4](#) of this manual. When submitting an AWOS reimbursement request, the selected AWOS maintenance vendor must be identified and copies of the associated invoices for services rendered must be attached. If said vendor is not a Cooperative Purchasing Agreement partner, a copy of the maintenance contract that exists between the provider and the airport must accompany the reimbursement request.

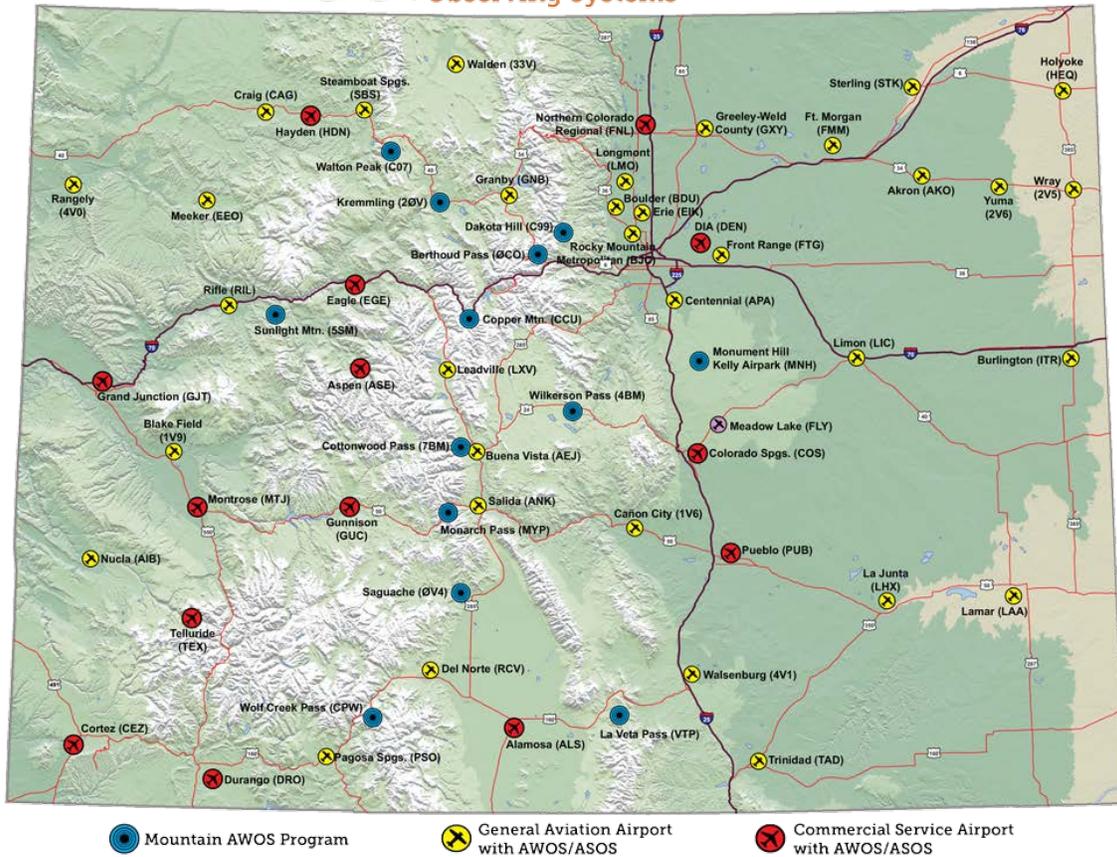
This statewide initiative was created to support ongoing AWOS maintenance only and was not designed to aid in the acquisition of new systems. Airport managers and sponsors can apply for CDAG grant funding to facilitate installation of a new airport-owned AWOS. However, to be eligible for grant consideration, the proposed project must first be incorporated into an airport's respective Capital Improvement Plan. Once the equipment is completely installed and after certification by the Federal Aviation Administration, the airport can then apply for reimbursement of maintenance costs under this program.

### 5.1.3 FAA-Owned ASOS Network

In addition to the AWOS network described above, the FAA has a network of 20 Airport Surface Observing Systems (ASOS) units installed on airports in Colorado. These sites are solely owned and operated by the FAA and are not eligible for state funding through this program.

Below is a map of the automated weather observation network in Colorado. More information can also be found online at: [https://www.codot.gov/programs/aeronautics/co\\_awos](https://www.codot.gov/programs/aeronautics/co_awos).


**Colorado Automated Weather Observing Systems**



## 5.2 Aviation Management Internship Program

The Aviation Management Internship Program is designed to develop and educate aspiring aviation professionals and provide them critical on-the-job experience so they can integrate into the aviation industry upon completion of the internship. Internship grant requests do not follow the normal “grant cycle” and can be requested throughout the year within WIMS. Internship grant applications must include an outline and syllabus of what the intern will be exposed to during his/her internship. Interns funded through this program cannot be used to fill full-time staff positions, alleviate staffing shortages, or perform any non-airport functions or work.

The Division prefers internship grants to span one year; however, if specific circumstances exist the Division will review them on a case by case basis. Internships grants are separate from the normal CDAG cycle and the grant cap set by the CAB in [section 4](#), so it is not necessary to identify them on the airport’s CIP. Internship grants are awarded through contract and funding is reimbursable similar to CDAGs. Grant funding shall be no more than 50% (\$10 per hour) of the intern’s regular hourly

wages up to \$20 per hour with the Division share not to exceed the current maximum reimbursable rate as established by the CAB (\$20,800 per internship per year). Reimbursements will cover regular hours worked up to the established cap and may also include overtime and paid absences during national holidays. Overtime hours will only be reimbursed up to 50% of regular hourly rate with the remainder paid by the employer. The Division will not provide reimbursements for on-call, vacation, sick leave nor any other type of personal leave. Grant funding is intended for use toward employee hourly wages only, not for benefit programs or taxes that may be offered or paid by the airport. As funding permits and at the discretion of the CAB, the Division will consider authorizing grants as described for up to two internships per airport per state fiscal year.

The CAB approves and appropriates the funding level for the internship program annually. This allows the Division staff to more quickly process and contract eligible internship grant requests without waiting for a regularly scheduled CAB meeting. Applications must be submitted in WIMS with sufficient time for grant review, approval, and contract execution. The Division cannot reimburse for any share of expenses incurred prior to the contract execution date.

A list of Colorado airports utilizing the internship program can be found at:

<https://www.codot.gov/programs/aeronautics/internships>

## 5.3 Charts and Directories

As a service to the flying public, the Division publishes the Colorado Airport Directory and the Colorado Aeronautical Chart. Both publications are for general reference to supplement other flight planning publications available to pilots. They are not to be used for flight planning or in lieu of other current and official sources of flight information such as Chart Supplements or Sectional chart publications. Both publications are available in paper and electronic form. Typically, charts are updated every other year, and directories every year.

The airport directory provides information on each public use airport in the state and includes an aerial photograph, runway data, communications frequencies, contact information, services provided, and more. The directory also provides information regarding mountain flying, AWOS information, a density altitude chart and other helpful topics. Directories are available at airports throughout the state, the Division offices, and can be mailed upon request with a charge to cover shipping costs.

The Colorado Aeronautical Chart combines multiple FAA Sectional Charts into a comprehensive state chart. The chart, like the directory, features information regarding mountain flying that include

suggested routes, density altitude, mountain AWOS information, and information regarding mountain passes and the do's and don'ts of mountain flying. Charts are also available at airports around the state and single charts can be requested on the Division's website to be mailed to individuals as well.

Information on how to obtain hard and electronic copies can be found at:

<https://www.codot.gov/programs/aeronautics/request-form>

## 5.4 Crack Fill Program

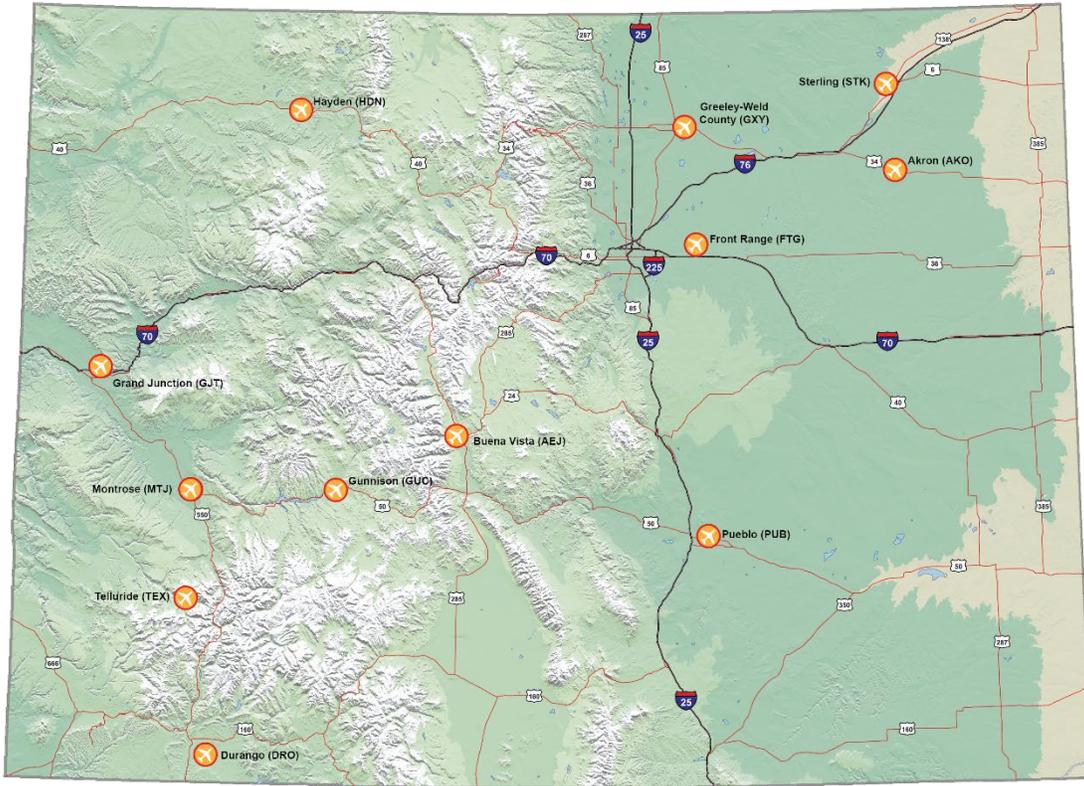
For many years the Division has provided financial support for airports to purchase pavement crack fill material that is applied by the airport personnel. The program is intended to encourage airports to do more preventative pavement maintenance. The Division reimburses up to 90% of the cost of the crack fill material obtained through CDOT price agreements, up to \$10,000 of Division funding per airport per fiscal year. This is a valuable investment that extends the life of existing surfaces, protects state investments in airport pavement projects, and reduces the State's system-wide pavement rehabilitation needs.

In addition to reimbursing purchases of crack fill material, the Division has also historically provided crack fill machines to large airports or regional groups of smaller airports that are eligible for support from this program ([see section 1.4](#)). Each regional machine is expected to be shared by a group of three or four airports within the surrounding geographical area. With approval from the Division, airports can procure the machines using CDOT price agreements and are then eligible for 100% reimbursement of purchase price. Prior to reimbursement from the State, airport sponsors are required to sign a Crack Fill Machine Assurance Form that specifies all applicable assurances and rules governing the use of the equipment.

The Division will also reimburse airports to support maintenance and upkeep of the crack fill machines. In order to be eligible for 100% reimbursement of maintenance costs, the airport must provide a price quote and receive approval from the Division prior to purchasing replacement parts or professional services. Once approval is obtained, the airport can then complete the purchase and request reimbursement through the crack fill portal in WIMS.

Participation in the Crack Fill Program is restricted to include only those Colorado airports that are eligible for funding under the terms outlined in [section 1.4](#) of this manual. Reimbursement requests must be submitted through the crack fill section of WIMS. Funding from this program does not count against an airport's discretionary grant limit for the year. Interested airport sponsors should review WIMS for the latest information and contact their respective Division aviation planner for assistance.

## Division crack-fill machine locations designated in yellow:



### 5.5 Economic Impact Study of Colorado Airports

Colorado's commercial and GA airports are major economic catalysts and are responsible for generating billions of dollars in economic benefit while supporting hundreds of thousands of jobs. Unfortunately, the direct and indirect benefits of airports are difficult to understand for a majority of the population including many of the groups that are responsible for making decisions on airport funding.

In 1998, the Division developed its first economic impact study to help inform the public, elected officials, airport sponsors, and other communities about the true economic benefits that airports bring to the local, regional, and national economies. Since the original study was completed, the

economic impact study has been continually updated on an approximate five-year basis.

As funding resources continue to decrease while demands on the public transportation system increase, these studies will become increasingly instrumental in demonstrating how valuable airports are as economic generators and their importance to the future viability of the Colorado aviation system. It is the intent of the CAB and Division to regularly update the economic impact study as funds permit.

The most recent update (2013) along with the historical plans can be viewed on the Division's website: <https://www.codot.gov/programs/aeronautics/Economic%20Impact%20Study>

In September 2018, the Division initiated an update to the 2013 Economic Impact Study, which is expected to be complete in early 2020. The latest project status is available at: <https://www.coloradoaviationsystem.com/>

## 5.6 Mountain Radar/Remote Air Traffic Control Tower

The Division, in partnership with the FAA, took a bold and ground-breaking step in 2009 when it launched a new system to improve efficiency and capacity at mountain airports. Prior to 2007, many important Colorado western slope airports did not have radar coverage to the surface due to terrain and high cost of installation and maintenance for this type of equipment. As a result, many commercial service and GA flights into and out of mountain airports were delayed, diverted to other airports or cancelled. This had negative impacts for airport users, local communities and the state's critical tourism industry. The Colorado Surveillance Project was created and an innovative partnership between the Division, the FAA and the local communities was developed to resolve this perplexing issue.

The system that was deployed to provide radar-like coverage to the surface is known as the Wide Area Multilateration (WAM) system. The WAM system was initially installed at the Rifle-Garfield County Airport, the Craig-Moffat County Airport, the Yampa Valley Regional Airport and the Steamboat Springs Municipal Airport. The FAA officially commissioned the new system into the National Airspace System (NAS), in December of 2010. The WAM system solved the lost radar coverage, drastically reduced flight cancellations, and increased the arrival rate during inclement weather from about four arrivals per hour to approximately 15 per hour. Following this successful program, Phase II was launched, which provided the same level of WAM service to the Gunnison-Crested Butte Regional Airport, the Montrose Regional Airport, the Telluride Airport and the Durango-La Plata County Airport. Phase II also included a backup system referred to as Automatic Dependent

Surveillance - Broadcast (ADS-B). ADS-B is a cooperative surveillance technology that is satellite based and when compliant equipment is installed in an aircraft, provides enhanced capabilities for navigation, situational awareness and improved weather data. ADS-B is an element of the Next Generation Air Transportation System (NextGen) and will be required equipment in the future. The certification of the Phase II airports was completed in the fall of 2013.

The successful completion of Phases I & II has led to a Phase III that is currently being developed. The concept of Phase III will be to provide an airport with remote air traffic control capabilities, obviating the need to construct and staff a traditional control tower structure and facility. This program has the potential to provide much needed air traffic control services at drastically reduced costs typically seen with construction and operation of traditional control tower facilities. This project is underway at the Northern Colorado Regional Airport (FNL).

The latest project status is available at: [www.coloradoremotetower.com](http://www.coloradoremotetower.com)

## 5.7 Pavement Condition Indexing (PCI)

Pavement management is a systematic method of: assessing current pavement conditions, determining maintenance and rehabilitation needs, and prioritizing these needs to make the best use of anticipated funding levels for local, Division, and FAA programs. The Division assists eligible airports in pavement management by utilizing (PCI) Pavement Condition Indexing. PCI is a numerical index between 0 and 100 which is used to indicate the general condition of a pavement. It is widely used in transportation civil engineering and is a statistical measure that requires manual survey of the pavement. PCI surveying processes and calculation methods have been standardized by ASTM for both roads and airport pavements. See ASTM D5340-11 for the standard test method for airport PCI surveys.

In order for an airport to be eligible for FAA AIP funding, they must remain in compliance with [Public Law 103-305, section 107](#), amended Title 49, Section 47105, which requires all airports receiving federal funds to develop and implement a pavement maintenance plan. While this law only applies to airports within the [National Plan of Integrated Airport Systems \(NPIAS\)](#), the Division includes non NPIAS airports in the program since it is highly beneficial to the local airport sponsor and assists the Division and FAA in airport pavement planning.

The PCI program is authorized by the FAA's Denver Airports District Office as the accepted method for determining the present condition of the Colorado aviation system pavements, the required maintenance needs, and forecasts of future requirements for maintenance. An integral factor in that

process is evaluating the condition of runway, taxiway, and aircraft parking apron pavements at each of the state's system airports excluding Denver International Airport.

The FAA requires a PCI inspection and report at each NPIAS airport every three years. The Division inspects roughly a third of the public use airports each year so that there is a complete cycle of inspections every three years. In the off years a standard rate of pavement deterioration is modeled resulting in an updated PCI value for each airport annually. The Division uses MicroPAVER software to record distresses and to determine PCI values for airport pavements. These values are available on the Division website at:

<https://www.codot.gov/content/programs/aeronautics/PCI/2017/>

## 5.8 Surplus Equipment Program

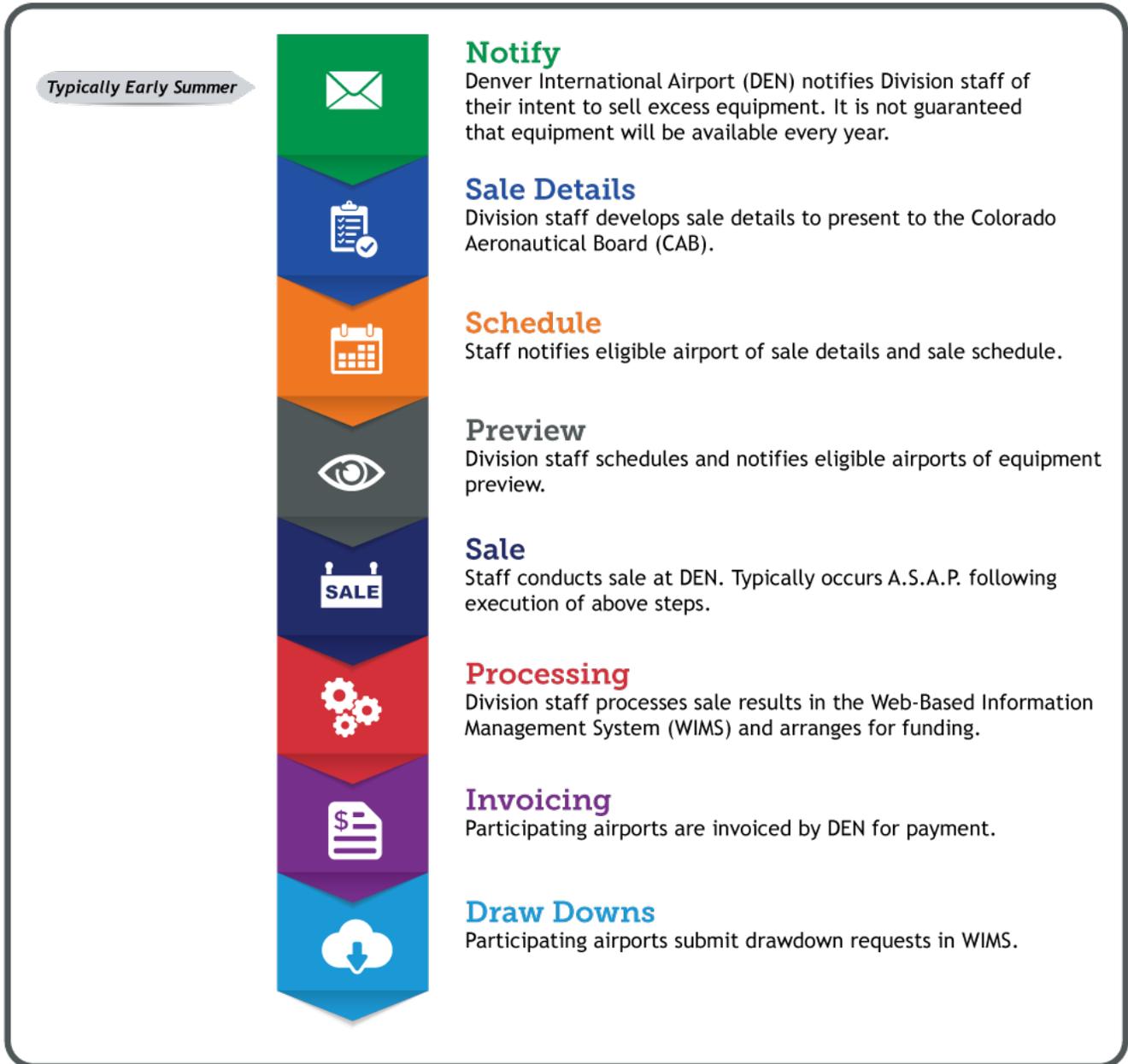
With the cooperation of statewide airports and the CAB, the Division coordinates a surplus equipment sale for eligible Colorado public-use airports pursuant to [CRS 43-10-110.7](#). In accordance with the Division's 2017 Strategic Plan, the surplus equipment program was expanded in 2019 to include Colorado airports where prior to that it was solely DEN equipment. Equipment at these sales are offered to other Colorado airports in order to make critical equipment such as snow removal equipment, mowers, loaders, service vehicles, and others available to airports at a much lower cost than new.

Colorado airports eligible for grant funding, as discussed in [section 1.4](#), are authorized to participate in the surplus equipment program. At the time of purchase, airports are required to sign a Surplus Equipment Program Assurance Form that specifies all applicable assurances and rules associated with the surplus equipment item that was purchased. Equipment acquired through this program must be used solely for aeronautical purposes and cannot be sold within the predetermined useful life of the vehicle.

Division staff will notify the airports when surplus equipment becomes available. Surplus grants are similar to regular airport grants in that the airport will purchase the piece of equipment and then request reimbursement from the Division for the agreed upon percentage of the cost. The CAB will set the Division's participation percentage prior to the sale and has historically funded between 50%-80% of the total. Moreover, surplus equipment grants will not count against an airport's annual discretionary aviation grant for the fiscal year. Please see next page for a flow chart of the surplus equipment sale process:

# Surplus Equipment

## Sale Process



## 5.9 Colorado Aviation System Plan

Pursuant to [CRS 43-10-102](#) the Division produces and maintains the Colorado Aviation System Plan (CASP), an important planning tool that helps the Division determine how its investments elevate overall system performance. In addition, the CASP aids in identifying those airports and projects that are most effective in providing an aviation system that can support the state’s economic goals

and meet its air transportation needs. Under guidance provided by the FAA's [Advisory Circular \(AC\) 150/5070-7](#) the Division will update the CASP at regular intervals as well as on an as-needed basis.

The Colorado Aviation System Plan has three primary objectives. The first objective is to provide, based on conditions at the time, an update on how well the system is performing. The second objective is to identify changes in system performance. The third objective is to utilize historic information to define the relationship between system performance measurements, benchmarks, facility/service objectives and grants issued by the Division as discussed in [section 2](#).

The airport system evaluation process utilizes two elements, performance measures and benchmarks. System performance measures are the categories in which the system is graded or evaluated and are commensurate with FAA descriptors for a balanced and viable airport system. Individual benchmarks are the actual tests used to determine how well the system is functioning. Combined, these two elements are used to generate a report card on overall system performance.

By updating its aviation system plan on regular intervals, the State of Colorado can expand and adjust the plan to capture changes in technology, revisions to FAA planning guidance, and changing conditions at the state, community and airport levels. Airports in Colorado are important transportation and economic resources, and the 2011 update to the Colorado Aviation Systems Plan provides a blueprint to direct system growth and development in the coming years.

The most recent update along with the historical plans can be viewed on the Division's website at: <http://www.coloradodot.info/programs/aeronautics/colorado-airport-system>

In September 2018, the Division initiated an update to the 2011 System Plan which is expected to be complete in early 2020. The latest project status is available at: <https://www.coloradoaviationsystem.com/>

## 5.10 USDA Wildlife Services Program

During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives and led to billions of dollars in aircraft damage worldwide. The FAA maintains a comprehensive program to address wildlife hazards. Through coordination of efforts, the FAA, USDA, and the Division are committed to helping Colorado airports understand and mitigate the dangerous interaction between wildlife and aircraft.

The Division has contracted with the United States Department of Agriculture (USDA) since 2009 to perform wildlife management services for airports statewide. The agreement with the USDA consists of a wide range of services that come at no cost to the airports. These include Wildlife Hazard Assessments (WHA) at group 1 airports, Wildlife Hazard Site Visits (WHSV), Wildlife Hazard Management Plans (WHMP) reviews and updates, permitting, habitat management, surveying, land-use planning, and establishing and maintaining working relationships with property owners adjacent to airports.

Training airport employees is another important service provided through the USDA agreement. Currently training is given by the USDA from April through August annually to each of the 14 commercial airports and a handful of GA airports in Colorado. The mandatory curriculum listed in FAA [AC 150/5200-36](#) is presented to all attending airport personnel. The curriculum requires the USDA to obtain and analyze data for each airport such as, strike records from the FAA wildlife strike database and operations log of wildlife activity. The curriculum includes prioritizing problem areas and hazardous species on the airfield, providing a demonstration on the safe and effective use of wildlife harassment devices and an exam created to test airport personnel's wildlife hazard knowledge. Every year, a list of participants, as well as the USDA certifications, is provided to the FAA for verification.

In addition to training, the USDA provides wildlife control measures on site. Airport managers have the ability to contact the USDA for both lethal and non-lethal measures on their airfield in accordance with their FAA-approved WHMP. For example, prairie dog management continues to be a priority for many airports in Colorado and control of populations on an airfield is difficult, yet imperative. For more information about this program please contact the Division.

## 5.11 Airport Sustainability Program

The purpose of the Airport Sustainability Program is to provide guidance and resources to airports in Colorado in order to help them prepare their own individually customized sustainability plans. The program is accessible through WIMS where an interactive toolkit will assist in addressing ways to improve sustainability within economic, social, operational, and environmental realms at their airports. Eligible Colorado airports have access to the toolkit through WIMS, for more information on WIMS see [section 3](#).

For more information about this program, please contact the Division's offices or visit:

[https://www.codot.gov/programs/aeronautics/CO\\_Airport\\_Sustainability\\_Program](https://www.codot.gov/programs/aeronautics/CO_Airport_Sustainability_Program)

## 5.12 Division Awards/Recognition Program

In an effort to formally recognize and acknowledge the value of contributions by individuals and airports to the Division, the CAB and Colorado's statewide aviation system, the Division has three different formal awards that may be issued at the discretion of the CAB and Division staff:

- Colorado Aeronautical Board Lifetime Achievement Award- This award is presented to an individual selected by the CAB and is intended to specifically honor and recognize those who have exhibited longstanding, consistent and unprecedented contributions to the Colorado air and space system. Individuals presented with this extraordinarily limited award have also demonstrated values that align with the CDOT Division of Aeronautics' mission to advance a safe, efficient, and effective statewide air and space system through collaboration, investment, and advocacy. This award is not presented on a regular basis, but at such times as a worthy recipient is identified and considered by the CAB.
- Airport of the Year Award- This award is presented annually to recognize Colorado public-use airports that exhibit outstanding contributions to the Colorado air & space system. Airports recognized with this award are characterized by effective, consistent and proactive leadership, along with robust community support and benefit. Recipient airports also demonstrate local values that align with the CDOT Division of Aeronautics' mission to advance a safe, efficient, and an effective statewide air and space system through collaboration, investment, and advocacy. Award recipients are selected by Division staff.
- Aviation Professional of the Year Award- This award is presented annually to recognize a Colorado aviation/airport professional who exhibits complete dedication to their community and airport, as well as for their outstanding contributions to the Colorado airport system. Individuals recognized also demonstrate values that align with the CDOT Division of Aeronautics' mission to advance a safe, efficient, and an effective statewide air and space system through collaboration, investment, and advocacy. Award recipients are selected by Division staff.

## 6. Aviation Education Grant Program

### 6.1 Introduction/Purpose and Intent

Annually, as part of its statewide aviation education mission, the CAB may make available a portion of the Division's CDAG funding for the support and promotion of aviation and aerospace education through its Education Grant Program ("Program"). The purpose and intent of this Program is to support education programs, projects and initiatives in Colorado that have direct application to the state's aviation and aerospace industry and to promote careers in aviation and aerospace among Colorado students. This Program is geared specifically towards STEAM education efforts related to aviation and aerospace, aimed at supporting Science, Technology, Engineering, Aviation/Aerospace and Math education opportunities and is distinct and separate from the Division's Aviation Internship Grant Program ([section 5.2](#)), which is funded and administered separately.

### 6.2 Annual Funding Levels

Subject to annual Division revenue forecasts and other statewide projects and priorities, the CAB may allocate up to 10% of each year's available CDAG funding to the Education Grant Program, not to exceed \$500,000 annually, unless modified by the CAB. Program funding levels for the subsequent fiscal year will typically be officially set annually by the CAB in January.

### 6.3 Eligibility

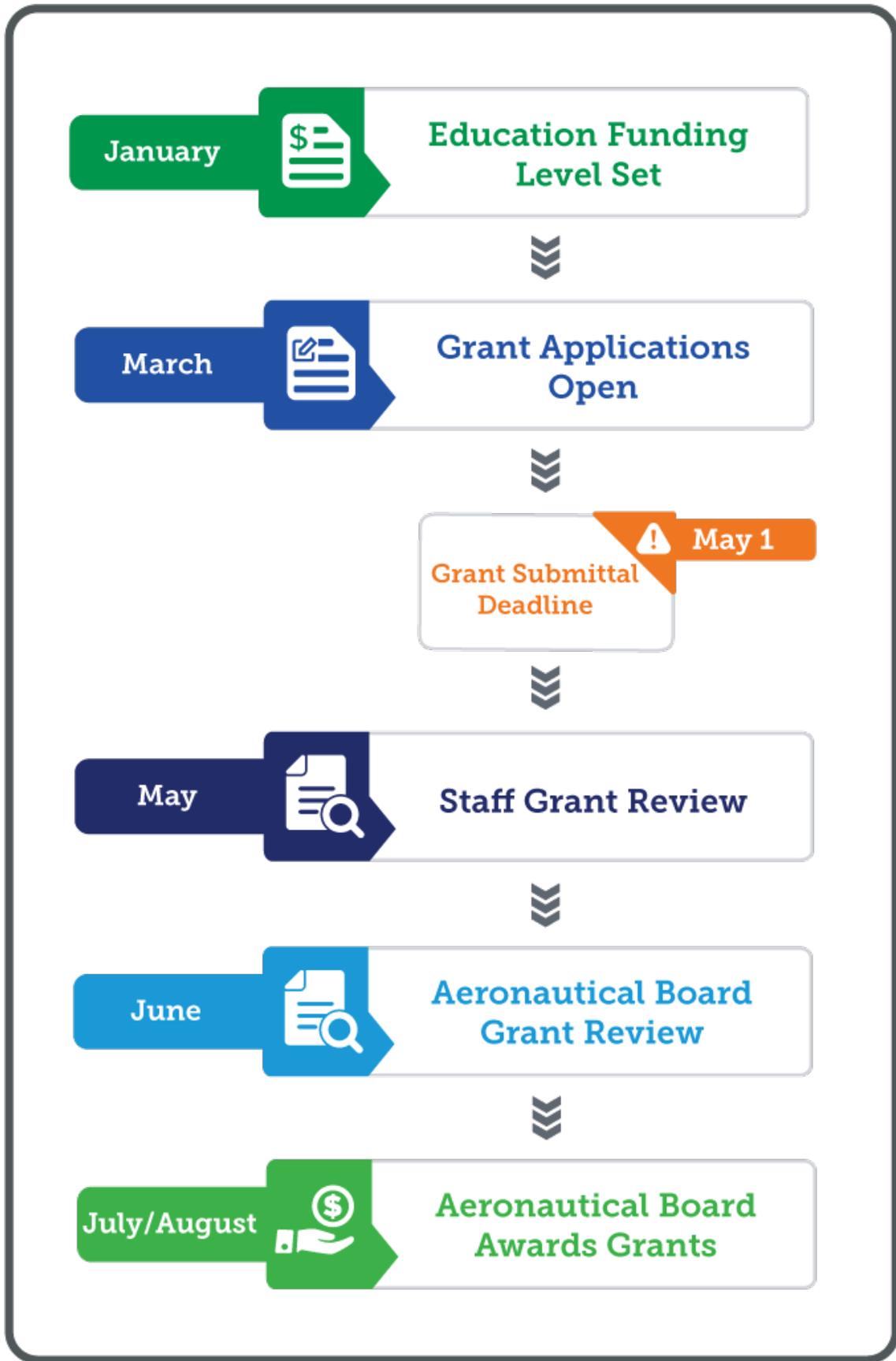
To be eligible to apply for a grant under this program, the applicant must be an established and accredited public school, college, university with an existing or proposed aviation or aerospace education program that meets the purpose and intent outlined in Section 6.1. Private entities are also eligible but must have been in operation for at least five years and carry a demonstrated track record of success in administering and providing education programs that meet the purpose and intent in [Section 6.1](#).

### 6.4 Application Process

All Education Grant Program applications will be submitted through the Division's Web-Based Information Management System (WIMS), described in Section 3, and must clearly articulate how the proposal will meet the criteria outlined below in Section 6.5. Applications will be accepted once each year and are due by March 1st. Division staff will review each education grant application for program eligibility, and ensure that applications contain all required information. Next, staff

members will compile the total amount money requested from all applications and compare this number to what is actually available in order to provide recommendation to the CAB as to which projects to fund and at what levels. The CAB will then review the staff's recommendation at the April regular board meeting, at which point applicants will have the opportunity to field questions from board members and advocate for their proposals. The CAB will then consider all information presented by the staff and stakeholders and then formally approve the grant applications at a subsequent CAB meeting, typically in June. The flow chart below outlines the application process.

# Aviation Education Grant Process



## 6.5 Application Information/Criteria

Under this program, the Division will consider only those applications that directly relate to the advancement of Colorado's aviation and aerospace industries with the express purpose of promoting education, career opportunities and professional development within these specific sectors. As noted above, applications must be submitted through WIMS and include supplemental information, not exceeding 10 single sided or five double sided pages, that addresses each of the following criteria that Division staff and the CAB will use in evaluating potential awards:

- a. Entity description, history, accreditations and experience as outlined in Section 6.3
- b. Program description
- c. Program goals and objectives (must be directly related to aviation and aerospace)
- d. Curriculum/subject areas covered
- e. Desired learning outcomes (must be directly related to aviation and aerospace)
- f. Grade levels served
- g. Metrics to be used to quantify and articulate success
- h. Student benefits
- i. Projected number of students involved/reached
- j. Justification for Program funding need
- k. Total annual budget of applicant
- l. Total budget allocated by applicant to proposed program
- m. Proposed program administrative/management costs overhead percentage
- n. Other funding contributors and amounts contributed
- o. Percentage of Program funding that the Division is being asked to fund
- p. Any supplemental information that will assist the CAB in further understanding the applicant's mission and application

## 6.6 Additional Application Guidance

In addition to the above criteria, grant candidates are strongly encouraged to consider the following additional guidance when preparing their application:

- a. Does the proposed program have a broad geographic and diverse demographic reach? Are underserved groups addressed in any way?
- b. To what extent are other sources of funding being utilized or proposed? Would the proposed program still happen absent Division funding support?

- c. The CAB understands that reasonable program administration and management costs are necessary for any education program, however it desires that Division grant funding is focused overwhelmingly on the proposed program. Does the applicant's proposed program include reasonable administrative and management costs that are solely attributable to the program?
- d. Are the metrics to quantify program success clearly articulated, and consistent with measures used by similar programs, industry standards or other requirements?
- e. Is the program evaluated and adjusted in a continuous process?
- f. What demonstrated experience does the applicant have in managing other programs and grants similar to that for which funding is requested?
- g. The CAB's intent with this program is to not regularly fund programs in perpetuity. How does the applicant propose to make their program sustainable in the long term?

## 6.7 Education Grant Management/Administration

Grants awarded under the program will be administered in accordance with the following:

- a. Education grants awarded under this Program are established with a defined percentage split between Division and applicant funding, up to a maximum grant amount as approved by the CAB. Under no circumstances will grants exceed 90% Division funding.
- b. All Program grants are issued on a reimbursable basis, that is grant funding is not provided to applicant in a lump sum, but on an ongoing basis, with grant draw downs being processed as the applicant's program progresses.
- c. Each grant draw down request must, for the period covered, include appropriately detailed supporting information, including but not limited to invoices, timesheets, budget reports, progress reports, descriptions of program successes and challenges and reports on other metrics as applicant included in their application.
- d. Required supporting documentation will vary by program and grant and may be revised during the term of the grant.

## 7. SIB Loan Program

Source: Title 23, United State Code; and

Section 43-1-113.5 Colorado Revised Statutes, CDOT 2 CCR 605-1, CDOT PD 720.1

The State Infrastructure Bank (SIB) Loan Program was enacted by Colorado Legislature in 1998, and adopted by the Colorado Department of Transportation in 1999. This unique funding resource is supported by the Colorado Aeronautical Board and the Colorado Transportation Commission to assist in financing state transportation enterprises with money available through a low-interest revolving loan program. The SIB program consists of four separate accounts: a highway account, transit account, an aviation account, and a rail account. This revolving fund is made up of federal, state, or private moneys and may be transferred between accounts or appropriated by the general assembly.

Loans awarded to Colorado public-use airports from the SIB Aviation Account have been used to support various capital airport improvements, air traffic control towers, snow removal equipment purchases and airport pavement reconstruction. Additionally, these low-interest loans have been utilized for land acquisitions that have proved crucial in protecting the state's airports from incompatible land-use activities.

Loan requests from the SIB aviation account are facilitated pursuant to the CDOT's Procedural Directive 720.1. Please review the CDOT SIB Rules and Regulations 2 CCR 605-1 for more information on how this program works. Information pertaining to the Colorado SIB Program can be obtained by calling the Division of Aeronautics offices or by visiting the SIB webpage at the following address: <https://www.codot.gov/programs/aeronautics/SIB>.

## 8. Other Possible Funding Sources

### 8.1 Department of Local Affairs

Federal mineral lease payments are distributed first to the state of Colorado, Department of Local Affairs (DOLA), who in turn, distributes payments to the counties, municipalities, and federal mineral lease districts within the state impacted by federal mineral leasing activity. These revenues come from state Severance Tax receipts and Federal Mineral Lease non-bonus payments. The Local Government Financial Assistance section manages a number of grant and loan programs within the Department of Local Affairs specifically designed to address public facility and service needs.

For more information on DOLA funding visit the Financial Assistance & Grants section of the DOLA

webpage located at: <http://www.colorado.gov/cs/Satellite/DOLA-Main/CBON/1251589672852>

## 8.2 Colorado Water Conservation Board

The Colorado Water Conservation Board (CWCB) offers numerous loans and grants to water providers and other entities statewide for a variety of water-related projects, studies, planning, awareness campaigns, and other activities. Airport Sponsors in Colorado have been recipients of grant funding from the CWCB for water utility related projects and studies. Visit the CWCB website for more information at: <http://cwcb.state.co.us/LoansGrants> or contact their offices at 303-866-3441.

## 8.3 Local Government Funding Opportunities

Many local governments offer various funding opportunities. An example of such an entity is the Garfield County Federal Mineral Lease District. The county receives revenue distributions from DOLA and in turn funds the District which is authorized to distribute funds and provide services to communities impacted by the development of natural resources on federal lands within Garfield County. The District accomplishes its mission through the issuance of grants.

For more information on local funding opportunities contact your local government offices.

## 8.4 Office of Economic Development and International Trade

The Colorado Office of Economic Development and International Trade (OEDIT) can be a great resource for supporting businesses. Although they are less likely inclined to fiscally support airport sponsors directly, they are a great resource for attracting and retaining businesses that are current or potential airport tenants. OEDIT offers a host of programs and services tailored to support business development at every level including business retention and relocation services; business finance and incentive programs; the Colorado Tourism Office; Creative Industries; the Colorado International Trade Office; the Colorado Small Business Development Centers; Film, TV & Media; minority and women-owned business services and economic research.

More information can be found at the OEDIT webpage at:

<http://www.advancecolorado.com/about-oedit>; and <http://www.advancecolorado.com/funding-incentives>

## Frequently Asked Questions

1. **As an airport, can we get a login to WIMS for our consultant?**

No. WIMS was created to help administer the grant process and tax disbursements directly with the airport and/or their sponsor.

2. **Is our airport eligible for a Colorado Discretionary Aviation Grant?**

Eligibility for CDAG funding for Colorado airports is defined by [CRS 43-10-103\(4\)](#) and [43-10-108.5\(2\)](#). The statutes state “The authority of the Division shall be limited to public airports, commercial service airports, and reliever airports as defined in [49 USC sec. 47102](#)” and that “Any entity operating an FAA-designated public-use airport may apply to the Division for a state aviation system grant to be used solely for aviation purposes.”

3. **How do we apply for a Grant?**

During the normal grant cycle, the Division will solicit grant applications from the eligible public use airports in Colorado.

4. **How much local match is required?**

State and local projects have a typical split of 90% state/10% local funding. However, if extenuating circumstances exist and an airport is unable to accommodate their 10% local match requirement, the CAB has the discretion to approve funding with a lessor local contribution. However, it should be noted that any potential grantee applying for funds with at least a 10% local contribution is usually more compelling to both the Division and CAB as it displays the priority and level of commitment the airport sponsor is investing in the project.

5. **Do we have to present my request to the CAB?**

No, but on occasion the CAB likes to hear from grant applicants regarding the grant that is being requested. Typically, the CAB will ask for a presentation for one of three reasons. A potential conflict of interest exists between a CAB member and the grant applicant, the Division staff does not recommend the project, or the CAB is just interested and would like to hear more about your request.

**6. Why does our sponsor need to sign a resolution?**

Included in the Division and CAB enabling legislation, it is required that the local communities “invite” the Division and CAB into their communities. The resolution acts as the formal invitation for financial support.

**7. Do we have to bid our project?**

The Division does not stipulate any specific procurement requirements for CDAG-funded projects. Once a grant has been awarded by the CAB, it is up to the grantee to follow any federal, state or local procurement rules and regulations that may apply to their airport and specific project.

**8. Can we receive our reimbursement via electronic transfer?**

Yes, please contact the Division for more information regarding electronic fund transfers.

**9. How long is a grant good for?**

It depends on the type of projects in the grant. For construction projects each grantee is given up to three years to expend the funds. For others, such as equipment purchases or internships, the grant may be capped at one year. Amendments to extend the term of a grant are only available in certain situations. All requests for reimbursement must be submitted to the Division by June 1st of the expiring year.

**10. If there is money left in my grant at the end of a project can we use it for something else?**

No, grant dollars can only be used for what the CAB approved and all remaining funds in the grant at project completion will be returned to the Aviation Fund.

## Acronyms/Definitions

"ADS-B"	Automatic Dependent Surveillance - Broadcast
"AIP"	Airport Improvement Program. The program that the FAA uses to give grants to eligible airports.
"AWOS"	Automated Weather Observing System
"BOL"	Bill of Lading
"CAB"	Colorado Aeronautical Board. A seven member board appointed by the Governor of Colorado, whose purpose is to administer the aviation fund and establish policies for growth and development of aviation in Colorado.
"CASP"	Colorado Aviation System Plan. This is a planning document that provides an inventory of aviation and also projects future aviation demand throughout Colorado.
"CDAG"	Colorado Discretionary Aviation Grant. Refers to a discretionary grant awarded by the Division and CAB within the aviation grant program.
"CDOT"	Colorado Department of Transportation. The State of Colorado's Department that handles everything transportation related.
"CIP"	Capital Improvement Plan. A five year planning document used by both the FAA and the Division.
"COFTS"	Colorado Fuel Tracking System
"CRS"	Colorado Revised Statute
"DOLA"	Colorado Department of Local Affairs
"DOR"	Colorado Department of Revenue
"Division"	CDOT - Division of Aeronautics
"FAA"	Federal Aviation Administration. The federal administration who is responsible for aviation on a national level.
"GA"	General Aviation
"NAS"	National Airspace System
"NextGen"	Next Generation Air Transportation System
"NPIAS"	National Plan of Integrated Airport Systems
"OEDIT"	Colorado Office of Economic Development and International Trade

- “PCI”      **Pavement Condition Indexing.** A planning document used by both the FAA and CDOA to evaluate condition of airport pavements.
- “SAP”      **Systems Applications and Products.** CDOT’s accounting system.
- “SIB”      **State Infrastructure Bank**
- “TC”      **Transportation Commission of Colorado**
- “USDA”    **United States Department of Agriculture**
- “WAM”    **Wide Area Multilateration**
- “WIMS”    **Web-based Information Management System**

## Division Contact Information

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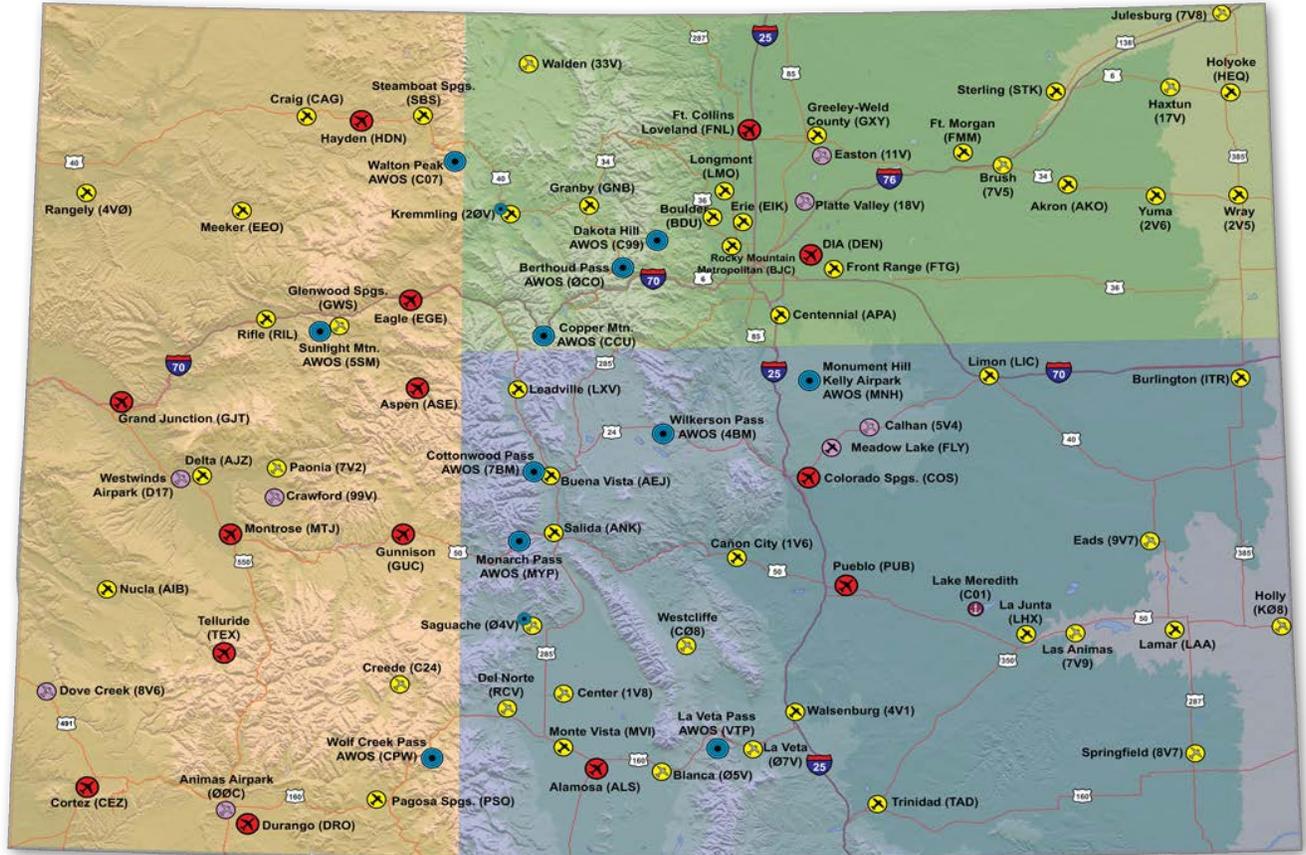
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# Colorado Airport Planning Regions



Produced August, 2019

- |                         |                    |  |   |
|-------------------------|--------------------|--|---|
| <b>PLANNING REGIONS</b> | Kip McClain        | Commercial Service Airport (14)                | Seaplane Base (1)                                       |
|                         | Kaitlyn Westendorf | Publicly-Owned & Operated Airport (51)         | Non-NPIAS Airport (25)                                  |
|                         | Scott Storie       | Privately-Owned Airport Open to the Public (8) | Mountain Automated Weather Observing System (AWOS) (13) |
|                         |                    |  |   |

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## Appendix A

# Colorado Revised Statute (CRS) 43-10 Aeronautics Division

The most current electronic version can be found at the following link:

<http://www.lexisnexis.com/hottopics/colorado/leftnav.htm>

## Title 43. Transportation

### Aviation Safety and Accessibility

#### Article 10. Aeronautics Division (2015)

##### **43-10-101. Legislative declaration:**

The general assembly hereby declares that there exists a need to promote the safe operation and accessibility of general aviation and intrastate commercial aviation in this state; that improvement of general aviation and intrastate commercial aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency.

**HISTORY:** Source: L. 91: Entire article added, p. 1045, § 3, effective July 1. L. 97: Entire section amended, p. 786, § 5, effective May 8.

##### **43-10-102. Definitions:**

As used in this article, unless the context otherwise requires:

- (1) "Aircraft" means any FAA-certificated vehicle used or designed for aviation or flight in the air.
- (2) "Airport" means any area of land or water which is used or intended for the landing and takeoff of aircraft, any appurtenant areas which are used or intended for airport buildings or other airport facilities or rights-of-way, and all airport buildings and facilities.
- (3) (a) "Aviation purposes" means any objective that provides direct and indirect benefits to the state aviation system and includes, but is not limited to:
  - (I) Any work involved in constructing, planning, or repairing a public airport or portion thereof and may include any work involved in constructing or maintaining access roads;
  - (II) The removal, lowering, relocation, and marking and lighting of any hazard to the safe operation of aircraft utilizing federal rules and regulations as guidelines for determining such hazards;
  - (III) The acquisition of navigational aids used by aircraft landing at or taking off from such airport;

- (IV) The acquisition of safety equipment necessary for the enhancement of the state aviation system;
  - (V) Any research study, proposal, or plan for the expansion, location, or distribution of aviation facilities or resources that are directly related to the state aviation system;
  - (VI) The promotion of economic development which is related to the promotion, development, operation, or maintenance of the state aviation system;
  - (VII) Any acquisition of land, of any interest therein, or of any easement through or other interest in airspace, including land for future airport development, which is necessary to permit any such work or to remove, mitigate, prevent, or limit the establishment of any hazard to the safe operation of aircraft; and
  - (VIII) Any informal education or training made available to the public concerning aviation in the state or any informational materials for dissemination to the public concerning aviation.
- (b) Subsidization of airlines is expressly prohibited as an aviation purpose except for the promotion and marketing of air service at airport facilities.
- (4) "Board" means the Colorado aeronautical board.
  - (5) "Director" means the director of the aeronautics division.
  - (6) "Division" means the aeronautics division in the department of transportation.
  - (7) "FAA" means the federal aviation administration or its successor.
  - (8) "Regional aviation plan" means an aviation plan developed by a regional planning commission pursuant to section 30-28-110, C.R.S.
  - (8.5) "State aviation system" means the network of facilities which includes airports, navigational aids, and safety-related facilities.
  - (9) "State aviation systems plan" means a plan produced and maintained by the state which: Addresses the aviation needs within the state, including those needs relating to airports, navigational aids, and flight safety; identifies and evaluates alternatives to meet those needs; and recommends preferred solutions for the aviation needs of the state.

**HISTORY:** Source: L. 91: Entire article added, p. 1045, § 3, effective July 1; (3) amended and (8.5) added, p. 2392, § 13, effective July 1. L. 91, 1st Ex. Sess.: (3) amended and (8.5) added, p. 1, § 1, effective July 1. L. 96: (3)(h) added, p. 634, § 1, effective May 1. L. 2000: (3) amended, p. 1331, § 2, effective May 26.

### **43-10-103. Division of aeronautics created – duties:**

- (1) There is hereby created, in the department of transportation, the aeronautics division.
- (2) The division shall provide support for the Colorado aeronautical board in fulfilling its duties. The duties of the division shall also include, but not be limited to, the following:
  - (a) Providing administrative support to the board in the distribution of moneys credited to the aviation fund for aviation purposes;
  - (b) Promoting aviation safety;
  - (c) (Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p. 300, § 1, effective August 5,

2009.)

- (d) Providing advisory assistance to airports providing access to the public, including technical and planning assistance;
- (e) Developing and maintaining the state aviation systems plan utilizing regional aviation plans;
- (f) Assisting the FAA and local governments in the identification and control of potentially hazardous obstructions to navigable airspace utilizing the standards described in federal rules and regulations for identifying such hazardous obstructions;
- (g) Administering the state aviation system grant program established by the general assembly pursuant to section 43-10-108.5;
- (h) Developing annual projections of revenue and expenses for review by the board;
- (i) Collecting and analyzing data relating to the use of aircraft in the state;
- (j) Advising the FAA in regard to federal programs in the state;
- (k) Publishing information relating to aeronautics in the state; and
- (l) (Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p. 300, § 1, effective August 5, 2009.)

(m) Directing the state treasurer to transfer moneys from the aviation fund created by section 43-10-109 to the aviation account of the transportation infrastructure revolving fund created by section 43-1-113.5, but only if such transfer is approved by the board. The division may direct the state treasurer to transfer moneys from the aviation account back to the aviation fund in an amount not exceeding the amounts previously transferred from the aviation fund, but only if such transfer is approved by the board and by the transportation commission.

(3) The division is authorized to enter into contracts with the FAA for the collection of airport data.

(4) The authority of the division shall be limited to public airports, commercial service airports, and reliever airports as defined in 49 U.S.C. sec. 47102.

(5) Except as otherwise provided in section 43-10-105 (2), the division is authorized to assist only those airports that request assistance by means of a resolution passed by the governing board of the airport and forwarded to the division.

(6) The division is authorized, under the supervision of the board, to contract with a public or private entity for any of the following purposes:

- (a) To provide the division with any work, services, or equipment needed for aviation purposes;
- (b) To carry out the express duties of the division under this section; or
- (c) To otherwise implement the intent of this article.

**HISTORY:** Source: L. 91: Entire article added, p. 1046, § 3, effective July 1; (2)(a) and (2)(g) amended, p. 2393, § 14, effective July 1. L. 91, 1st Ex. Sess.: (2)(a) and (2)(g) amended, p. 2, § 2, effective July 1. L. 96: (5) amended and (6) added, p. 634, § 2, effective May 1. L. 2000: (2)(l) added and (4) amended, pp. 673, 674, §§ 4, 5, effective May 22. L. 2001: (4) amended, p. 1287, § 79, effective June 5. L. 2009: (2)(c), (2)(l), and (4) amended and (2)(m) added, (HB 09-1066), ch. 82, p. 300, § 1, effective August 5.

### **43-10-104. Colorado aeronautical board – created:**

(1) The division shall be under the jurisdiction of the Colorado aeronautical board, which board is hereby created. The board shall consist of seven members. The initial members of the board shall be the members of the Colorado aeronautical board as such existed in the department of military and veterans affairs prior to July 1, 1991, and the terms of such members shall expire as the original terms of such members were scheduled to expire. Thereafter, the governor shall appoint their successors for terms of three years each. If any such member vacates his or her office during the term for which appointed to the board, a vacancy on the board shall exist and shall be filled by the governor for the unexpired term. All such appointments shall be with the consent of the senate. The board shall annually elect from its members a chairman, a vice-chairman, and a secretary. The members of the board shall receive fifty dollars per diem while the board is in session and shall be reimbursed for all actual and necessary expenses incurred in the performance of their official duties. The board shall not conduct any business unless there are at least four members of the board present.

(2) The members of the board shall be chosen as follows: Four members, two from the eastern slope and two from the western slope of the state, representing local governments which operate airports, which members shall be selected by the governor from a list of nominees supplied by local governments; one member representing a statewide association of airport managers; one member representing a statewide association of pilots; and one member familiar with and supportive of the state's aviation issues, interests, and concerns. Appointments shall be made so as to insure a balance broadly representative of the activity level of airports throughout the state.

**HISTORY:** Source: L. 91: Entire article added, p. 1047, § 3, effective July 1. L. 2002: (1) amended, p. 363, § 29, effective July 1.

### **43-10-105. Duties of the board:**

(1) The board has the following duties:

(a) To advise the director on aviation matters;

(b) To establish procedures for the administration and distribution of moneys credited to the aviation fund created in section 43-10-109, for aviation purposes at public airports, commercial service airports, and reliever airports, as defined in [49 U.S.C. sec. 47102](#), in this state;

(c) To seek recommendations of the director for the distribution of moneys credited to the aviation fund created in section 43-10-109;

(d) To establish policies for the growth and development of aviation in the state;

(e) To provide statewide aviation needs to be included in the department of transportation's statewide transportation plan; and

(f) To set and adopt on an annual basis, a budget for the division, including recommendations to the transportation commission for the amount to be allocated for administrative costs;

(g) (Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p. 301, § 2, effective August 5, 2009.)

(2) (a) The board shall have no control over federal funds for public airports, except as provided in paragraph (b) of this subsection (2). The board may accept federal funds to carry out its powers and duties pursuant to this article.

(b) Pursuant to section 47105 (a) (1) (B) of the federal "Revision of Title 49, Transportation", 49 U.S.C. sec. 40101 et seq., "Subtitle VII - Aviation Programs", Federal Public Law 103-272, 108 Stat. 1093, the board may also accept and distribute by contract to local airports federal funds available to the state for airport development projects benefitting one or more airports or for airport planning projects for one or more airports if the following requirements are met:

(I) The sponsor of a local airport gives written consent that the state apply for a project grant under the federal act cited in this paragraph (b);

(II) The federal secretary of transportation is satisfied that there is administrative merit and aeronautical benefit for the state being the sponsor of an airport development or planning project; and

(III) An acceptable agreement exists ensuring that the state will comply with appropriate grant conditions and other assurances the federal secretary of transportation requires.

**HISTORY:** Source: L. 91: Entire article added, p. 1048, § 3, effective July 1; (1)(b) amended, p. 2393, § 15, effective July 1. L. 91, 1st Ex. Sess.: (1)(b) amended, p. 2, § 3, effective July 1. L. 96: (2) amended, p. 635, § 3, effective May 1. L. 97: (1)(g) added, p. 785, § 4, effective May 8. L. 2001: (1)(b) amended, p. 1287, § 80, effective June 5. L. 2006: (1)(f) amended, p. 540, § 2, effective July 1. L. 2009: (1)(e) and (1)(g) amended, (HB 09-1066), ch. 82, p. 301, § 2, effective August 5.

### **43-10-106. Powers of the board:**

(1) (a) The board has power to: Acquire by gift, transfer, devise, or eminent domain such land which, in the opinion of the board, poses or may pose a potential hazard to navigable airspace. In determining whether land or any structure thereon poses a hazard to navigable airspace, the board shall use as a guide any applicable federal rules and regulations relating to identification of navigable airspace hazards.

(b) Any acquisition of land by the board pursuant to the provisions of paragraph (a) of this subsection (1) shall be on behalf of the airport affected by such hazard. Upon acquisition of the land, the board shall transfer title to such land to the governmental entity operating such airport.

(2) The division, at the request of the board, shall consult with local governments so that decisions relating to local land use planning may be made in a manner which does not interfere with the state aviation systems plan, a regional system plan, or the provisions of article 65.1 of title 24, C.R.S., relating to areas and activities of state interest.

### **43-10-107. Office of director of division created – transfer:**

(1) The office of director of the division is hereby created. Any other provision of the law to the contrary notwithstanding, the board, with the consent of the executive director, shall appoint the director, who shall possess such qualifications as may be established by the board and the state personnel board. The director shall oversee the discharge of all responsibilities of the division. The director shall devote his entire time to the service of the state in the discharge of his official duties and shall not hold any other public office. The appointment or removal of the director shall be subject to the provisions of section 13 of article XII of the state constitution.

(2) The division, the office of director thereof, and the board shall exercise their powers and perform their duties and functions specified in this article under the department of transportation as if the same were transferred to the department by a type 1 transfer, as such transfer is defined in the "Administrative Organization Act of 1968", article 1 of title 24, C.R.S.

**HISTORY:** Source: L. 91: Entire article added, p. 1048, § 3, effective July 1.

### **43-10-108. Annual report. (Repealed)**

**HISTORY:** Source: L. 91: Entire article added, p. 1049, § 3, effective July 1; entire section amended, p. 2393, § 16, effective July 1. L. 91, 1st Ex. Sess.: Entire section amended, p. 2, § 4, effective July 1. L. 96: Entire section repealed, p. 1273, § 207, effective August 7.

### **43-10-108.5. State aviation system grant program:**

(1) In order to support and improve the state aviation system, there is hereby established the state aviation system grant program. The grant program shall be implemented and administered by the division and the board in accordance with the provisions of this section.

(2) Any entity operating an FAA-designated public-use airport may apply to the division for a state aviation system grant to be used solely for aviation purposes. Applications shall contain such information as may be required by the division and shall be filed in accordance with procedures established by the division. In order to be eligible for a grant, the applicant must demonstrate, to the satisfaction of the division, that the grant shall be used solely for aviation purposes as defined in section 43-10-102 (3). The division shall evaluate grant applications based upon criteria established by the division and make recommendations to the board on the awarding of grants. Any grant proposed by the board shall be submitted to the governor's office for review and recommendation prior to a final decision. The governor shall accomplish his review and recommendation within thirty days of submittal of the grant proposal by the board. The board shall make final decisions on the awarding of grants subject to the availability of moneys in the aviation fund created in section 43-10-109. The board shall establish procedures to ensure that grants awarded pursuant to the provisions of this section are used solely for aviation purposes as required by this subsection (2).

(3) (Deleted by amendment, L. 2009, (HB 09-1066), ch. 82, p. 302, § 3, effective August 5,

2009.)

(4) Repealed.

(5) In addition to grants authorized pursuant to subsection (2) of this section, the division itself may be a recipient of a state aviation system grant, but only for purposes of implementing a statewide aviation project that would not otherwise be implemented by an entity operating an FAA-designated public-use airport. Any application for such a grant shall be submitted to the governor's office for review and recommendation prior to a final decision. The governor shall accomplish his review and recommendation within thirty days of submittal of the proposal by the board. The board shall make final decisions on the awarding of grants to the division for a statewide aviation project subject to the availability of moneys in the statewide aviation fund created in section 43-10-109.

**HISTORY:** Source: L. 91: Entire section added, p. 2394, § 17, effective July 1.L. 91, 1st Ex. Sess.: Entire section added, p. 3, § 5, effective July 1.L. 2001: (4) repealed, p. 1287, § 81, effective June 5.L. 2009: (2) and (3) amended and (5) added, (HB 09-1066), ch. 82, p. 302, § 3, effective August 5.

#### **43-10-109. Aviation fund created:**

(1) There is hereby created in the state treasury a fund to be known as the aviation fund, referred to in this article as the "fund", which shall consist of all revenues credited thereto pursuant to sections 24-46.6-103 (1) (b) and 39-27-112 (2) (b), C.R.S., and all revenues credited thereto in accordance with subsection (2) of this section within the total revenues prescribed by the general assembly pursuant to section 43-1-112.5. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund, except as directed by the general assembly acting by bill and subject to the provisions of section 18 of article X of the Colorado constitution.

(2) (a) In accordance with section 18 of article X of the Colorado constitution, for the 1991-92 fiscal year, and each fiscal year thereafter, one hundred percent of the sales and use taxes collected during that fiscal year by the state pursuant to sections 39-26-104 and 39-26-202, C.R.S., on aviation fuels used in turbo-propeller or jet engine aircraft shall be credited to the aviation fund.

(b) Such credit shall be made by the state treasurer as soon as possible after the twentieth day of the month following the collection of such sales and use taxes.

(c) It is not the intent of the general assembly that the moneys available for expenditure pursuant to the provisions of this subsection (2) be used to supplant any federal moneys which may be available to airports, governmental entities operating FAA-designated public-use airports, or the division pursuant to federal law.

(3) The moneys in the fund are hereby continuously appropriated to the division for the purposes

authorized by law. In each fiscal year, the transportation commission shall budget and allocate an amount not to exceed five percent of the total amount of revenues credited to the fund pursuant to section 39-27-112 (2) (b), C.R.S., and subsection (2) of this section during the preceding fiscal year to be used to defray any administrative costs incurred by the division and the board in implementing and administering the provisions of this article. The board shall recommend to the commission an amount to be allocated by the commission for administrative costs. Any monetary penalties collected pursuant to section 24-46.6-103 (1) (b), C.R.S., are continuously appropriated to the division to defray any administrative expenses incurred by the division and the board in enforcing the provisions of section 24-46.6-103 (1), C.R.S. The general assembly shall appropriate from the fund an amount to the department of revenue for the reasonable expenses incurred in administering section 39-26-715 (1) (a) (I) and (2) (a), C.R.S., and as provided in section 39-27-112 (2) (b), C.R.S.

(4) Repealed by SB 231 effective August 9, 2017

**HISTORY:** Source: L. 91: Entire article added, p. 1050, § 3, effective July 1; entire section amended, p. 2395, § 18, effective July 1. L. 91, 1st Ex. Sess.: Entire section amended, p. 4, § 6, effective July 1. L. 93: (1) and (3) amended, p. 1514, § 17, effective June 6. L. 97: (1) and (3) amended, p. 786, § 6, effective May 8. L. 2000: (3) amended, p. 673, § 3, effective May 22. L. 2003: (3) amended and (4) added, p. 2605, § 1, effective July 1. L. 2004: (3) amended, p. 1047, § 22, effective July 1. L. 2006: (3) amended, p. 541, § 3, effective July 1. L. 2009: (2)(c), (4)(a)(I), and (4)(a)(II) amended, ([HB 09-1066](#)), [ch. 82](#), [p. 302](#), [§ 4](#), effective August 5.

### **43-10-110. Revenues in aviation fund – disbursements:**

(1) (a) In accordance with section 18 of article X of the Colorado constitution, moneys in the fund shall be used exclusively for aviation purposes.

(b) Repealed.

(2) (a) (I) The board shall transfer from the fund, on a monthly basis, to the airport operating fund of the governmental or airport entity operating the FAA-designated public-use airport an amount equal to four cents per gallon of gasoline, as defined in section 39-27-101 (12), C.R.S., sold at such airport and an amount equal to sixty-five percent of any sales and use taxes collected by the state on aviation fuel sold for use at such airport by turbo-propeller or jet engine aircraft and credited to the fund pursuant to section 43-10-109 (2).

(II) If an intergovernmental agreement is entered into pursuant to the provisions of article 46.5 of title 24, C.R.S., the portion of the sales and use tax revenues that would otherwise be transferred to the governmental entity operating an airport in the state at which commercial passenger service is provided and that has entered into an intergovernmental agreement under article 46.5 of title 24, C.R.S., shall be transferred to the Colorado business incentive fund created in section 24-46.5-102, C.R.S. If such an intergovernmental agreement is entered into, moneys shall be transferred by the state treasurer for the length of the intergovernmental agreement, and, following the conclusion of the agreement, or if no agreement is entered into,

the moneys shall be transferred to such governmental entity in accordance with the provisions of this section.

(b) The transfer of moneys pursuant to this subsection (2) shall be based upon monthly reports made by the department of revenue, pursuant to the provisions of sections 39-26-715 (1) (a) (I) and (2) (a) and 39-27-102 (1) (a) (IV) (C), C.R.S., and transmitted to the division. Such moneys shall only be used for aviation purposes. Moneys in the fund derived from the sale of gasoline and aviation fuel at airports not qualified to receive revenue pursuant to the provisions of this subsection (2) shall remain in the fund.

(3) Moneys in the fund not transferred to a governmental or airport entity operating an FAA-designated public-use airport as provided in subsection (2) of this section and not allocated for administrative expenses shall be used by the board exclusively for aviation purposes, including the awarding of grants pursuant to the state aviation system grant program established by the general assembly pursuant to section 43-10-108.5 and including the awarding of contracts as authorized in this article.

**HISTORY:** Source: L. 91: Entire article added, p. 1050, § 3, effective July 1; entire section amended, p. 2396, § 19, effective July 1. L. 91, 1st Ex. Sess.: Entire section amended, p. 5, § 7, effective July 1. L. 96: (3) amended, p. 635, § 4, effective May 1; (2) amended, p. 964, § 2, effective May 23. L. 97: (2)(a)(II) amended, p. 787, § 7, effective May 8. L. 2000: (1) amended, p. 674, § 6, effective May 22; (2)(a) amended, p. 1330, § 1, effective May 26. L. 2003: (2)(a)(I) amended, p. 1819, § 8, effective August 6. L. 2004: (2)(b) amended, p. 1048, § 23, effective July 1. L. 2006: (3) amended, p. 541, § 4, effective July 1. L. 2009: (2)(a)(I), (2)(b), and (3) amended, (HB 09-1066), ch. 82, p. 303, § 5, effective August 5.

#### **43-10-110.7. Conveyance of airport-related equipment to division:**

The city and county of Denver shall convey at a reasonable cost unneeded airport-related equipment to the division for equitable distribution to other governmental entities operating airports in this state.

**HISTORY:** Source: L. 91, 1st Ex. Sess.: Entire section added, p. 6, § 8, effective July 1. L. 2009: Entire section amended, (HB 09-1066), ch. 82, p. 304, § 6, effective August 5.

#### **43-10-111. Gasoline tax in lieu of personal property tax:**

The gasoline tax imposed pursuant to section 39-27-102 (1) (a) (IV) (A), C.R.S., is imposed in lieu of personal property tax on the aircraft, except as otherwise provided in article 4 of title 39, C.R.S.

**HISTORY:** Source: L. 91: Entire article added, p. 1050, § 3, effective July 1.

### **43-10-112. Fuel flowage fee – authorized:**

Any governmental entity which operates an airport providing access to the public is authorized to impose a fuel flowage fee at such airport.

**HISTORY:** Source: L. 91: Entire article added, p. 1051, § 3, effective July 1.

### **43-10-113. Safe operating areas around airports – establishment:**

(1) The general assembly hereby declares commercial service airports, public airports, reliever airports, as defined in 49 U.S.C. sec. 47102, and the land areas surrounding such airports, as defined in 14 CFR part 77, to be a matter of state interest as provided in article 65.1 of title 24, C.R.S.

(2) Governmental entities with zoning and building permit authority shall adopt and enforce, at a minimum, rules and regulations to protect the land areas defined in 14 CFR part 77.

**HISTORY:** Source: L. 91: Entire article added, p. 1051, § 3, effective July 1. L. 2001: (1) amended, p. 1287, § 82, effective June 5. L. 2007: (1) amended, p. 2051, § 108, effective June 1.

### **43-10-114. Violation of federal registration provisions - aircraft identification - fuel tanks:**

(1) It is unlawful for any person, firm, association, or corporation in this state to knowingly possess an aircraft that is not registered in accordance with the regulations of the federal aviation administration contained in Title 14, chapter 1, parts 47-49 of the Code of Federal Regulations in effect on July 1, 1988.

(2) (a) It is unlawful for any person, firm, association, or corporation to knowingly buy, sell, offer for sale, receive, dispose of, conceal, or possess, or to endeavor to buy, sell, offer for sale, receive, dispose of, conceal, or possess, any aircraft or part thereof on which the assigned aircraft identification numbers do not meet the requirements of the federal aviation regulations specified in subsection (1) of this section.

(b) The failure to have the assigned aircraft identification numbers clearly displayed on the aircraft and in compliance with federal aviation regulations is probable cause for any law enforcement officer in this state to make further inspection of the aircraft in question to ascertain its true identity. A law enforcement officer is authorized to inspect an aircraft for identification numbers:

(I) When it is located on public property; or

(II) Upon consent of the owner of the private property on which the aircraft is stored.

(3) It is unlawful for any person, firm, association, or corporation to knowingly possess any aircraft in or operated in this state that is found to be registered to a nonexistent person, firm, association, or corporation or to a firm, association, or corporation which is no longer a legal entity. Any firm, association, or corporation that has no physical location or corporate officers or that has lapsed into an inactive state or been dissolved for a period of at least ninety days with no

documented attempt to reinstate the firm, association, or corporation or to register its aircraft in the name of a real person or legal entity in accordance with federal aviation administration regulations specified in subsection (1) of this section is in violation of this section.

(4) It is unlawful for any person, firm, association, or corporation to knowingly supply false information to a governmental entity with respect to the name, address, business name, or business address of the owner of an aircraft in or operated in this state.

(5) It is unlawful for any person, firm, association, or corporation to knowingly supply false information to any governmental entity with respect to ownership by it or another person, firm, association, or corporation of an aircraft in or operated in this state if it is determined that such person, firm, association, or corporation:

(a) Is not, or has never been, a legal entity in this state;

(b) Is not, or has never been, a legal entity in any other state; or

(c) Has lapsed into a state of no longer being a legal entity in this state and no documented attempt has been made to correct such information with the governmental entity for a period of ninety days after the date on which such lapse took effect.

(6) It is unlawful for any person, firm, association, or corporation to install, maintain, or possess any aircraft which has been equipped with, or had installed in its wings or fuselage, fuel tanks, bladders, drums, or other containers which will hold fuel if such fuel tanks, bladders, drums, or other containers do not conform to federal aviation administration regulations or have not been approved by the federal aviation administration by inspection or special permit. This subsection (6) applies to any pipes, hoses, or auxiliary pumps which when present in the aircraft could be used to introduce fuel into the primary fuel system of the aircraft from such tanks, bladders, drums, or containers.

(7) This section does not apply to any aircraft registration or information supplied by a governmental entity in the course and scope of performing its lawful duties.

(8) Any aircraft knowingly used in violation of this section shall be deemed a class 1 public nuisance as provided in section 16-13-303 (1) (h.6), C.R.S., and shall be subject to the provisions relating thereto.

**HISTORY:** Source: L. 91: Entire article added, p. 1051, § 3, effective July 1.

### **43-10-115. Submittal of budget for recommendations:**

The board shall submit annually the proposed budget for the division to the transportation commission for the commission's review and, with respect to moneys that are to be allocated for administrative costs, the commission's approval and allocation. The commission shall examine the division's proposed budget and make recommendations based on the comprehensive statewide transportation plan formed by the commission pursuant to the provisions of section 43-1-1103 (5). Except for the portion of the budget that pertains to administrative costs that are allocated by the commission, the commission shall have no authority to reject or to alter any portion of the division's proposed budget.

**HISTORY:** Source: L. 91: Entire article added, p. 1053, § 3, effective July 1. L. 2006: Entire section amended, p. 541, § 5, effective July 1.

### **43-10-116. Transfer of functions, employees, and property. (Repealed)**

**HISTORY:** Source: L. 91: Entire article added, p. 1053, § 3, effective July 1. L. 2009: Entire section repealed, (HB 09-1066), ch. 82, p. 304, § 7, effective August 5.

### **43-10-117. Towers - marking – definitions:**

(1) As used in this section, unless the context otherwise requires:

(a) "Height" means the distance from the original grade at the base of a tower to the highest point of the tower.

(b) "Tower" means a structure that is either self-standing or supported by guy wires and ground anchors, is smaller than six feet in diameter at the base, and has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other equipment is mounted. "Tower" does not include a structure that is located adjacent to a building, house, barn, or electric utility substation or in the curtilage of a farmstead.

(2) Where the appearance of a tower is not otherwise governed by state or federal law, rule, or regulation, any tower over fifty feet in height that is located outside the boundaries of an incorporated city or town on land that is primarily rural or undeveloped or used for agricultural purposes must be marked and painted or otherwise constructed to be visible in clear air during daylight hours from a distance of not less than two thousand feet. Towers must also comply with the following additional requirements:

(a) A tower must be painted in equal alternating bands of aviation orange and white, beginning with orange at the top of the tower;

(b) One marker ball must be attached to the top third of each outside guy wire; and

(c) Guy wires must have a seven-foot-long safety sleeve at each anchor point that extends from the anchor point along each guy wire attached to the anchor point.

(3) Any tower that was erected prior to August 6, 2014, must be marked as required by the provisions of this section within one year of August 6, 2014. Any tower that is erected on or after August 6, 2014, must be marked as required by this section at the time it is erected.

(4) (a) This section does not apply to:

(I) Towers or poles that support electric utility transmission lines or distribution lines;

(II) Facilities licensed by the federal communications commission or any structure with the primary purpose of supporting telecommunications equipment, including microwave relay facilities and towers erected for the purpose of providing commercial mobile radio service or commercial mobile data service as defined in 47 CFR 20.3;

(III) Towers within a ski area boundary;

(IV) Wind-powered electrical generators with a rotor blade radius greater than six feet; or

(V) Street lights erected or maintained by the department of transportation.

(b) Notwithstanding paragraph (a) of this subsection (4), this section applies to towers or poles with a primary purpose of providing private mobile radio services other than commercial mobile data service as defined in 47 CFR 20.3.

(5) Any person who violates a provision of this section and a collision with the tower at issue results in the injury or death of another person is guilty of a class 2 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S. Any person who violates a provision of this section and the violation does not result in the injury or death of another person is guilty of a misdemeanor and shall be punished by a fine of not more than two hundred fifty dollars.

**HISTORY:** Source: L. 2014: Entire section added, [\(HB 14-1216\)](#), ch. 228, p. 848, § 2, effective August 6.

## Appendix B

# Airport Sponsor Assurances for Colorado Discretionary Aviation Grant Funding

Approved January 22, 2018

### I. APPLICABILITY

- a. These assurances shall be complied with by Airport Sponsors in the performance of all projects at airports that receive Colorado Department of Transportation - Division of Aeronautics (Division) Colorado Discretionary Aviation Grant (CDAG) funding for projects including but not limited to: master planning, land acquisition, equipment acquisition or capital improvement projects (Project). It is not the intent of these Assurances to expand existing Federal Aviation Administration (FAA) Grant Assurances for airports included in the National Plan of Integrated Airport Systems (NPIAS); as similar assurances already exist for acceptance of FAA funding.
- b. Upon acceptance of this grant agreement these assurances are incorporated in and become a part thereof.

### II. DURATION

- a. The terms, conditions and assurances of the grant agreement shall remain in full force and effect throughout the useful life of the Project as defined in Table 1 (Useful Life), or if the airport for which the Project is funded ceases to function as a public airport, for twenty (20) years from the date of Project completion, whichever period is greater. However, there shall be no limit on the duration of the assurances with respect to real property acquired with CDAG Project funds.

### III. COMPLIANCE

- a. Should an Airport Sponsor be notified to be in non-compliance with any terms of this agreement, they may become ineligible for future Division funding until such non-compliance is cured.
- b. If any Project is not used for aviation purposes during its Useful Life, or if the airport for which the Project is funded ceases to function as a public airport, for twenty (20) years from the date of Project completion or at any time during the estimated useful life of the Project as defined in Table 1, whichever period is greater, the Airport Sponsor may be liable for repayment to the Division of any or all funds contributed by the Division under this agreement. If the airport at which the Project is constructed is abandoned for any reason, the Division may in its discretion discharge the Airport Sponsor from any repayment obligation upon written request by the Airport Sponsor.

### IV. AIRPORT SPONSOR GRANT ASSURANCES

1. **Compatible Land Use.** Compatible land use and planning in and around airports benefits the state aviation system by providing opportunities for safe airport development, preservation of airport and aircraft operations, protection of airport approaches, reduced potential for litigation and compliance with appropriate airport design standards. The airport will take appropriate action, to the extent reasonable, to restrict the use of land adjacent to, in the immediate vicinity of, or on the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.
2. **On-Airport Hazard Removal and Mitigation.** The airport will take appropriate action to protect aircraft operations to/from the airport and ensure paths are adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.
3. **Safe, Efficient Use, and Preservation of Navigable Airspace.** The airport shall comply with 14 CFR Part 77 for all future airport development and anytime an existing airport development is altered.
4. **Operation and Maintenance.** In regards to Projects that receive Division funding, the airport sponsor certifies that it has the financial or other resources that may be necessary for the preventive maintenance, maintenance, repair and operation of such projects during their Useful Life.

The airport and all facilities which are necessary to serve the aeronautical users of the airport shall be operated at all times in a safe and serviceable condition. The airport will also have in effect arrangements for:

- a. Operating the airport's aeronautical facilities whenever required;
  - b. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
  - c. Promptly notifying airmen of any condition affecting aeronautical use of the airport.
5. **Airport Revenues.** All revenues generated by the airport will be expended by it for the capital or operating costs of the airport, the local airport system, or other local facilities owned or operated by the owner or operator of the airport for aviation purposes.
  6. **Airport Layout Plan (ALP).** Once accomplished and as otherwise may be required to develop, it will keep up-to-date a minimum of an ALP of the airport showing (1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto; (2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities; and (3) the location of all existing improvements thereon.

7. **Use for Aviation Purposes.** The Airport Sponsor shall not use runways, taxiways, aprons, seeded areas or any other appurtenance or facility constructed, repaired, renovated or maintained under the terms of this Agreement for activities other than aviation purposes unless otherwise exempted by the Division.

**TABLE 1**

Project Type	Useful Life
a. All construction projects (unless listed separately below)	20 years
b. All equipment and vehicles	10 years
c. Pavement rehabilitation (not reconstruction, which is 20 years)	10 years
d. Asphalt seal coat, slurry seal, and joint sealing	3 years
e. Concrete joint replacement	7 years
f. Airfield lighting and signage	10 years
g. Navigational Aids	15 years
h. Buildings	40 years
i. Land	Unlimited