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****Petitioners agree to the conditions listed in these links--please read before petitioning****

Trans 55 - Conditions of State Airport Aid

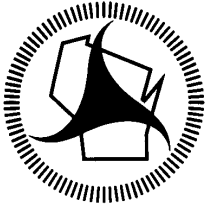
<http://www.legis.state.wi.us/rsb/code/trans/trans055.pdf>

Airport Owner Assurances

http://www.faa.gov/airports/aip/grant_assurances/media/airport_sponsor_assurances.pdf

*****Please talk to Mary Strait before beginning the petition process*****

<mailto:mary.strait@dot.wi.gov>



Wisconsin Department of Transportation

Division of Transportation Infrastructure
Development

Bureau of Aeronautics

4802 Sheboygan Ave.

P O Box 7914

Madison, WI 53707-7914

Telephone: 608-266-3351

Teletypewriter (TTY): 608-266-3351

FAX: 608-267-6748

DOT Web Site: www.dot.wisconsin.gov/

(DATE)

(name)

(Airport) Airport

(Address)

(City), WI (Zip Code)

(Airport Name) Airport Petition Package

Dear (Name):

(notes)

I have enclosed the following to get you started on your airport's petition for federal and/or state aid for a development project:

1. Airport Aid Petition Resolution Checklist.
2. Resolution petitioning the Secretary for Airport Improvement Aid.
3. Agency and Assurances Agreement.
4. Chapter Trans 55, Wisconsin Administrative Code.
5. Federal Owner Assurances
6. Sample of the Notice of Public Hearing.
7. Sample of the Affidavit of Publication of the hearing notice.
8. Information on the airport development hearing process.
9. Information to be submitted in support of airport aid petitions.

Before you submit a petition, please call the [Airport Project Manager](#) for your airport to discuss your request to be sure all needed work items are included. This will help assure nothing is missed and another resolution won't be needed.

The public hearing is the first step in the petition process. State law requires that at least **ten (10)** days notice of the public hearing is provided by publication of a Class I notice in the local legal paper. It is also imperative that all the work items that you wish to petition for are listed in the notice and addressed in the public hearing. An Affidavit of Publication signed by the publisher and notarized is also required. An exhibit showing the location of the proposed work (including land to be acquired) should be made available for inspection at the public hearing. Please include a copy of this exhibit in your petition package to clarify the intent of your request.

Dedicated people creating transportation solutions through innovation and exceptional service

SAMPLE

SAMPLE

The sample hearing notice includes suggested wording for meeting the requirements of the Americans with Disabilities Act (ADA).

After the public hearing has been held, the airport's governing body can pass the Petition Resolution. Please note that the Petition Resolution authorizes representatives of the governing body to execute the Agency Agreement and Owner Assurances. Please return one original copy of the Petition Resolution and two copies of the Agency Agreement and Owner Assurances. I will return a copy of the Agency and Assurances Agreement to you after our director signs it.

The Bureau of Aeronautics recommends that general aviation airport sponsors budget 20% of project costs as their share of any airside work and 50% of project costs as their share of any landside work.

If you have questions please call me at (608) 266-7187.

Sincerely,

Mary Strait
Airport Program Engineer

Enclosures

102dev.dot/r.04/21/03

**AIRPORT AID
PETITION RESOLUTION CHECKLIST**

Please include the items checked below in your request for airport aid. Any additional information you provide to support the petition will enhance your airport project's priority.

Required	Completed	Document
X		A. Copy of published <u>hearing notice</u> (10 days hearing notice required).
X		B. <u>Affidavit of publication</u>
X		C. Typewritten <u>transcript or outline</u> of public hearing.
X		D. <u>Petition Resolution</u> signed by governing body.
X		E. <u>Agency Agreement and Owner Assurances</u> signed and witnessed (2 copies) (Note that the Resolution authorizes and signers of the Agency Agreement and Owner Assurances)..
X		F. Airport sketch depicting area of proposed work or land acquisition.
		G. Information in support of petition.
		H. Other documentation listed below _____

Please return this form and the petition package to :

**Department of Transportation
Wisconsin Bureau of Aeronautics
Post Office Box 7914
Madison, WI 53707-7914**

SAMPLE
RESOLUTION PETITIONING
THE SECRETARY OF TRANSPORTATION
FOR AIRPORT IMPROVEMENT AID
BY

«councilboard»
«county» County, Wisconsin

WHEREAS, the «muni», «county» County, Wisconsin hereinafter referred to as the Sponsor, being a municipal Body Corporate of the State of Wisconsin, is authorized by law (sec. 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, the Sponsor desires to develop or improve the «airport» Airport, «county» County, Wisconsin,

"PETITION FOR AIRPORT PROJECT"

(CITIES ONLY) WHEREAS, the foregoing proposal for airport improvements has been referred to the City Plan Commission for its consideration and report prior to council action as required by Wisconsin Statutes Chapter 62.23(5), and

WHEREAS, airport users have been consulted in formulation of the improvements included in this Resolution, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Chapter 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition, and

THEREFORE, BE IT RESOLVED, By the Sponsor that a petition for Federal and (or) State Aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with Federal and State Aid or State Aid only, in accordance with the applicable State and Federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a «classification» type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: «work»; and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; and

WHEREAS, the Sponsor is required by law (sec. 114.32(5), Wis. Stats.) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

SAMPLE
AGENCY AGREEMENT AND
FEDERAL BLOCK GRANT OWNER ASSURANCES

Department of Transportation
Bureau of Aeronautics
Madison, Wisconsin

WHEREAS, the «muni», «county» County, Wisconsin, hereinafter referred to as the Sponsor, desires to sponsor an airport development project to be constructed with federal aid and/or state aid, specifically, the «airport» Airport project to:

«work»; and any necessary related work.

WHEREAS, the Sponsor adopted a resolution on _____, (Date), a copy of which is attached and the prescribed terms and conditions of which are fully incorporated into this agreement, designating the Secretary as its agent and requesting the Secretary to act as such as set forth in the resolution, and agreeing to maintain and operate the airport in accordance with certain conditions; and

AGENCY AGREEMENT

WHEREAS, upon such request, the Secretary is authorized by law to act as agent for the Sponsor until financial closing of this project;

NOW THEREFORE, the Sponsor and the Secretary do mutually agree that the Secretary shall act as the Sponsor's agent in the matter of the airport development as provided by law and as set forth in the referenced resolution; provided, however, that the Secretary is not required to provide legal services to the Sponsor.

SECRETARY OF TRANSPORTATION

David M. Greene, Director
Bureau of Aeronautics

FEDERAL BLOCK GRANT OWNER ASSURANCES

WHEREAS, the Sponsor does agree to the conditions established in Trans 55, Wisconsin Administrative Code, and, for projects receiving federal aid, to the attached Federal Sponsor Assurances, which are a condition of a Federal Grant of funds.

The Federal Block Grant Owner Assurances shall remain in full force and effect throughout the useful life of the facilities developed under this project, but in any event not to exceed twenty (20) years from the date of the Finding;

Acceptance: The Sponsor does hereby accept the Agency Agreement and the Federal Block Grant Owner Assurances.

The «muni» «county» County, Wisconsin Sponsor

Name

Name

Title

Title

Date

Date

W:\Airports\«Airport Name»\Petition\«Date&Identifier»res.doc

SAMPLE
AGENCY AGREEMENT

DEPARTMENT OF TRANSPORTATION
BUREAU OF AERONAUTICS
Madison, Wisconsin

AN AGREEMENT DESIGNATING THE
SECRETARY OF TRANSPORTATION AS ITS AGENT

WHEREAS, the «muni», «county» County, Wisconsin, hereinafter referred to as the Sponsor, desires to sponsor an airport development project to be constructed with federal aid and/or state aid, specifically, the «airport» Airport project to:

«work»; and any necessary related work.

WHEREAS, the Sponsor adopted a resolution on _____, (Date), a copy of which is attached and the prescribed terms and conditions of which are fully incorporated into this agreement, designating the Secretary as its agent and requesting the Secretary to act as such as set forth in the resolution; and

WHEREAS, upon such request, the Secretary is authorized by law to act as agent for the Sponsor until financial closing of this project;

NOW THEREFORE, the Sponsor and the Secretary do mutually agree that the Secretary shall act as the Sponsor's agent in the matter of the airport development as provided by law and as set forth in the referenced resolution; provided, however, that the Secretary is not required to provide legal services to the Sponsor;

IN WITNESS WHEREOF, the authorized representatives of the parties have affixed their signatures and the seal of the parties.

WITNESS:

The «muni»
«county» County, Wisconsin
Sponsor

_____ By: _____

_____ (TITLE)

_____ (TITLE)

By: SECRETARY OF TRANSPORTATION

David M. Greene, Director
Bureau of Aeronautics

W:\Airports\«Airport»\Petition\«date&identifier»res

**NOTICE OF PUBLIC HEARING
IN THE MATTER OF STATE AND FEDERAL AID
FOR THE IMPROVEMENTS AT**

(Airport Name)

(Airport Location)

The Town/Village/City/County of _____ is considering petitioning the State of Wisconsin, Department of Transportation, for state and federal aid to undertake the following development at the _____ Airport (list development items as they will appear in the airport aid petition):

Notice is hereby given that the Town/Village/City/County of _____ will hold a public hearing at (Time) on (Date) in (Location).

All interested persons are invited to attend and present their views on the need for the proposed airport development.

Parking for people with disabilities and an accessible entrance are available (Location Relative to Building). Please call (Municipality) at (Phone) (Days) days in advance of the hearing to make specific accessibility requests.

*** OPTIONAL PARAGRAPHS***

Additional written testimony may be filed with the Town/Village/City County of _____ if received within ten (10) calendar days after the date of the public hearing. Such testimony should be directed to (Name and Address).

As an information service, representatives from the (Town/Village/City/County) and the Wisconsin Bureau of Aeronautics will be available for informal discussion and review of the proposal on (Date), at (Location) from (Time) to (Time).

(Authority)

(Signature)

Published in the : (Newspaper)

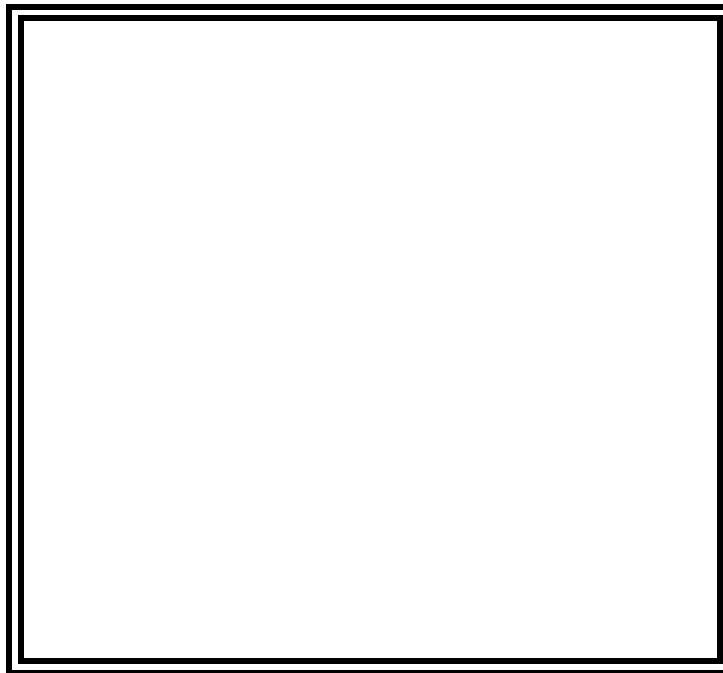
Date: (Publication Date)

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN-SS.
COUNTY OF (County)

(Person), being duly sworn, deposes and says that he (she) is an authorized representative of the (Name of Newspaper), a (Weekly/daily) newspaper published at (Municipality), the seat of government of said county, and that an advertisement of which the annexed is a true copy, taken from said paper, was published in a regular issue on (date)

Attach news clipping here



Signed: _____

Title: _____

Subscribed and sworn to before me this (day) day of (month), (year).

Notary Public,
(County) County, Wisconsin
My commission expires: (Date)

PRE-PETITION HEARING PROCESS

I. Requirements for Hearings

As the result of the National Environmental Policy Act of 1969 and Airport and Airway Development Act of 1970, and in accordance with Federal Aviation Regulations, part 152.73 and Wisconsin Statutes Sec. 114.33, the State of Wisconsin has provided opportunity for citizen participation in airport development through the public hearing process.

There are two types of public hearing that may be held in connection with an airport development project. They are the locally-held airport aid hearing, and the environmental hearing which is conducted by the Bureau of Aeronautics.

The Bureau recommends that a public information meeting be held prior to public hearings for those projects which involve more than three airport owners, or generate economic, social or environmental controversy. The information meeting shall be conducted by the airport sponsor, with the Bureau providing technical expertise as required.

II. Notice

Legal notice for the local airport aid hearing shall be published by the airport owner at least 10 days before the date of the public hearing. Copies of all hearing notices should be distributed to the Bureau of Aeronautics and to other interested parties.

The airport owner has a responsibility to see that each land owner who may be affected by the proposed development receives a copy of any hearing notice.

III. Conduct of Public Hearing

The Bureau has no specific requirements as to who conducts that local airport aid hearing; it may be the airport owner or some impartial person or organization. In many cases, local consideration may dictate how and by whom the hearing shall be held.

The public hearing should be held at a place and time generally convenient for persons affected by the proposed project.

At the outset of the hearing, participant and attendees should be informed that written statements and other exhibits in place of, or in addition to, oral statements at the hearing may be submitted. A final date for receipt of such statements or exhibits should be specified.

Free and open discussion and presentation of views germane to the purpose of the hearing are allowed. Proceedings are informal, and presentations should not be subject

to cross-examination. Witnesses should present information and data illustrating the need, or the lack thereof, for the project; and adverse effects the project or the airport may have on the community. Testimony should be relevant, factual and non-repetitive.

IV. Transcript or Outline of the Public Hearing

A typewritten transcript or outline of the proceedings at the hearings must be made. If an outline of the hearing is prepared, it should include, but is not limited to, the following: date, time and location of the hearing; chairperson of the hearing; names of people who speak in favor or opposed to the proposed project; and in general what is said. The transcript or outline may incorporate written statements, exhibits, and other pertinent matter used or filed in connection with the hearing.

V. Summary

The public hearing process is one of many steps involved in the development of an airport, but one of the most important. We must ensure that the public is afforded adequate opportunity to be heard regarding the economic, social and environmental effects of the proposed improvements, and their consistency with the goals and objectives of such urban planning as has been carried out by the community. These hearings give the public the opportunity to participate in the planning and decision-making process in the development of airports.

The Bureau may provide information, forecasts, data, and technical assistance relative to the proposal to any interested parties.

INFORMATION IN SUPPORT OF AIRPORT AID PETITIONS

The checklist below lists information the airport owner may wish to submit to the Bureau of Aeronautics to show the economic and aeronautical need for the improvements desired at their airport. Any additional information not covered in this checklist that is deemed important by the airport owner should also be presented. It is preferred that as much of this information as possible be included in a written report to be submitted by the petitioner in support of their request. However, information that can be best presented through testimony at a public hearing should be so handled. This information will be used by the Bureau of Aeronautics to determine the merits of petitioned airport improvements.

I. Airport Use Information

- _____ A. Recorded or estimated total annual aircraft operations by type of activity: air carrier, air taxi, military and general aviation.
- _____ B. Total annual airline passenger enplanements.
- _____ C. Total annual pounds of freight/cargo shipped by air.
- _____ D. List of based aircraft by make and model.
- _____ E. Number of active area pilots by type: student, private, commercial, air transport; and number of instrument rated.
- _____ F. Names of major airport users (businesses, corporations) and type of aircraft used.
- _____ G. Aeronautical services that are available at the airport. Include a list of current airport leases and agreements.
- _____ H. Information on aircraft users, if any, using other airports where passenger destination is your community.
- _____ I. List of aircraft owners who would use your airport if it were improved or would use it more.
- _____ J. Other airport information.

II. Economic Base Information

- _____ A. Identify area served by the airport and population of this airport service area.

- _____ B. Identify and map important business and industries in the airport service area.
- _____ C. Present employment figures of area.
- _____ D. Development taking place in the area that would affect the demand for air transportation.
- _____ E. Industrial development report on present and past efforts and importance of airport.
- _____ F. Other transportation modes serving the area.
- _____ G. Written statements or hearing testimony from the area business and industry as to the sue they make of the airport and how the airport benefits them.
- _____ H. Other economic base information.

III. Improvement Need Information

- _____ A. What unsafe or inadequate airport facilities currently exist and would be corrected by the propose improvements.
- _____ B. Primary purpose of each improvement.
- _____ C. Written statements or hearing testimony from airport users, businesses and industry on the need for each proposed improvement item.
- _____ D. Other improvement need information.

IV. Airport owner Responsibility Information

- _____ A. Verification of establishment or proposed establishment of motor vehicle, minimum standards and height limitation zoning ordinances.
- _____ B. Copies of airport maintenance budget and records for the past three years.

SAMPLE

RESOLUTION RATIFICATION

BE IT RESOLVED, that the «board», «county» County, Wisconsin, does hereby ratify and affirm the «commission» petition for state airport development aid dated _____.

RESOLUTION introduced by: _____

CERTIFICATION

I, _____, Clerk of «muni», «county» County, Wisconsin, do hereby certify that the foregoing is a correct copy of a Resolution introduced at a meeting of the «muni» Board on _____, adopted by a majority vote, and recorded in the minutes of said meeting.

«muni»
«county» County, Wisconsin

By _____
_____(Title)