

NORTH DAKOTA Aviation Quarterly

Issue #34

NDAC

Fall, 1996

CHAIRMAN'S CORNER

Fred Adams, Chairman ND Aviation Council

If you live in or near North Dakota, are involved or interested in AVIATION, then mark your calendar for the 1997 Upper Midwest Aviation Symposium. The dates are March 2-5, 1997. Location is the Radisson Inn in Bismarck.

Regardless of your involvement in aviation, there will be something for just about everyone. Come and join us, the symposium will also be a great place to visit with old friends and make some new ones.

Several changes to the program are being planned to allow for the North Dakota Aviation Hall of Fame ceremonies. Due to the probability of a large number of first year inductees, the Tuesday night banquet will be set aside to honor these individuals.

At my request the Council had approved a meeting with the Fargo FSDO office. The main goal was to promote aviation and the working relationship between the FAA and the aviation industry within the State. There was good success in the area of coordination of education programs and scheduling.

There still are some very difficult areas yet to be resolved in the areas of operations and maintenance. There is disagreement in the interpretation of several areas of the regulations and I'm not sure as to the final outcome. Other FSDO's are handling the same requests differently. I would like to believe that all the FSDO offices are working of the "same song," but that does not seem to be the case.

I will have more on this in the next issue of the Quarterly.



DON'T FORGET

UMAS '97

March 2-5, 1997 • Bismarck

COMMISSION DIRECTOR NESS CALLS FOR FARGO FSDO INSPECTOR'S OUSTER

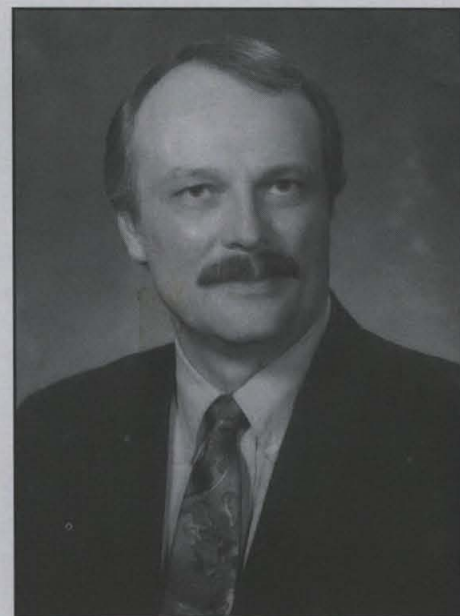
By Andrew Niemyer

Gary R. Ness, Director of the North Dakota Aeronautics Commission, has called for the removal of an Inspector from the Federal Aviation Administration's Fargo Flight Standards District Office. In a letter dated August 26 to Assistant Administrator for Policy, Planning and International Aviation Mr. Barry Valentine, Ness stated that he has found Principal Operations Inspector Robert Harris's attitude, demeanor and actions to be "dictatorial, argumentative and confrontational..." Ness further stated that "For the past three years, I have received numerous complaints about [Harris's] actions ..."

The *Quarterly* has learned that when word of Ness's letter got out, the Commission office received a large volume of documentation and letters from North Dakota pilots, air taxi operators, repair station owners, agricultural applicators and others supporting his contentions as well as bringing to light other actions by Harris.

Ness's letter came after a meeting he attended in Fargo, August 23 with representatives from the North Dakota Aviation Council and the Fargo FSDO management. After some initial success, the *Quarterly* learned that the talks bogged down over how the Fargo FSDO office enforced parts of the Federal Aviation Regulations. The meeting turned acrimonious when, it is reported, Harris refused to verbally explain to Ness the basis for his interpretations of the phrase "for hire," crucial to the definition of Part 135 versus Part 91 aircraft operations. When pressed, the *Quarterly* has learned from sources present at the meeting, he stated that he relied upon "NTSB case law." Since the NTSB is not a court of Federal jurisdiction nor one of Administrative law, there is no such thing, it was pointed out. This led to what was described as a heated argument between Ness and Harris and a total breakdown of the meeting, which was forthwith adjourned.

The call for the reassignment of Harris comes after several years of what many have told the *Quarterly* is a continuous series of aggressive and often contradictory actions by the Fargo FSDO. These include interpretations of the FARs that are at total variance with interpretations of the same sections by multiple other FSDOs, both within the Great Lakes Region and in other Regions; enforcement actions against pilots and operations that seem to contain allegations that are at odds with testimony by other witnesses and what at least one operation characterized as a



Gary R. Ness

Director of the North Dakota Aeronautics Commission

seemingly vindictive "surprise" inspection shortly after a discussion with Fargo FSDO personnel over delays in approvals on aircraft modifications.

Several sources characterized the conflicts

(Continued on Page 8)

FROM THE EDITOR:

Andrew S. Niemyer, Editor-in-Chief

As I sit and write this, the skies of central North Dakota, which have been busy with both commercial and general aviation traffic these last few months, are bringing the first snowfall of the season. Suddenly many pilots are switching from checking out the upcoming weather to checking out the latest catalogues and brochures and beginning to plan yet another "dream upgrade" to their planes.

One of the reasons we have such a strong network of pilots, mechanics and repair stations is that most of us realize the value of having the work on our airplanes done by fellow members of the NDAC. Oh yes, we all "shop around" looking for the very best price, but we also realize that the close personal relationships we build with our fellow members leads to the most productive of aviation commodities: communications. Being able to talk to your mechanic, or listen to exactly what the pilot is telling you about his static system or what she really needs in that GPS approach for the airport makes for satisfaction all around.

That's why attendance at the UMAS is so vital for all of us who support aviation in any form here in the state. It is in the hallways, meeting room, luncheon table and around the booths that we make friends and acquaintances for the long term. It is there that we get together not as a "customer base" or "consumers" but as people with something very special in common, North Dakota aviation.

Remember that fact when your annual comes due, or you want to upgrade your hopper capacity or that guy on the field tells you he'd love to do business with you if you could only come down in price an extra 2%. In a state known for "life in the vast lane" we can all keep our small community close by keeping each other in mind when the time comes for us to do business together.

NOTE

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LANDING NOTES ACROSS NORTH DAKOTA

Mark J. Holzer, Aviation Planner

ND Aeronautics Commission

- Essential Air Service federal legislation gets \$50 million income source from new user fee tax on foreign overflights across USA. Devils Lake, Jamestown and Dickinson regions have air carrier contracts with US DOT for 10 weekly roundtrip flights. Enhanced service and a stable future is anticipated by this Rural Air Service Survival Act.
- Mediport Implementation Plan has been completed by the Upper Great Plains Transportation Institute - NDSU contracted by joint effort of the North Dakota Department of Transportation and North Dakota Aeronautics Commission. The plan established procedures for establishing mediport, address areas for improvements, coordinated intermodal and medical uses, and formulates method for directory report. Copies can be obtained through the North Dakota Aeronautics Commission.
- Airport sponsors with completed state projects this summer, should request state reimbursement. Many projects are outstanding and payment can be made in partial or final formats. Contact Roger Pfeiffer, ND Aeronautics Commission for payments.
- Aerial photographs of 10 airports were recently completed by ND Department of Transportation contracted to the Aeronautics Commission. The Commission shall update the Airport Directory (photographic) by March 1997. Circulation to state registered pilots at the March convention is planned. Aeronautics charts produced this year are still available per phone request to 328-9650 (Aeronautics Commission.)
- Disadvantaged Business Enterprise (DBE) reports are due October 1st with FAA Civil Right Offices. Airports that receive or have received federal grants since 1984 are required to file annual reports. So fill out your paperwork!
- Now is the time to check your snow plows and blades before we get the first arctic blast. Airport Managers review your Airport Managers Manual - Chapter 5 on snow removal procedures. Coordinate with personnel on airport safety, communications and Notam filing. Let AFSS @ 1-800-WX-BRIEF know about the names of your airport authority to file Notams if you have recently had changes of the board.

SIGN AT REGIONAL FLYING CLUB:

*"All take-offs
are optional.
Landings,
however, are
mandatory!"*

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*Final UMAS '97 schedule due NLT January 8, 1997.



FROM THE DIRECTOR'S CHAIR

Gary R. Ness

In September, while attending the National Association of State Aviation Official's (NASAO) annual meeting, I listened to many speakers speak on current and not-so-current topics. I want to share two of them with you.

#1 - "System Planning for Regional Airports." This was an eye opening experience. From the perspective of cost, regional airports will become a reality. The aviation community, along with the local government units, will need to look more and more towards regionalization of facilities to provide the needed level of service from the airports to the flying public. It comes down to economy of scale. North Dakota has had a net loss of five airports since 1990 for various reasons. We have also seen several innovative community projects to create or revitalize a facility. This writer is concerned about the continued costs and the pressure on our smaller communities to provide the aviation needs that are reality. Regional medicine, just-in-time inventory, light industrial development and educational development staffs continue to be very mobile and air minded. Because of those pressures, the smaller facilities need our full attention and evaluation to what makes sense for our communities. A transportation system's needs are always important and very expensive today. However, when we deal with rural and remote problems, those needs increase in volume and cost. The Commission will continue to deal with this issue and we enlist input.

#2 - "National Park Overflight Restrictions." Two very articulate and civil gentlemen debated this very volatile issue. I listened with an open mind of a pilot and also a user of the park system for horseback trips into the back country. I enjoy as well as anyone the solitude afforded by the park system. However, when you hear the park service representative talk about "their" mandate from con-

gress and the public to preserve the "natural quiet", you feel a chill that does not come from an open door. I gathered from the comments of the air tour industry that the proposed routes in the Grand Canyon will cause congestion, delays and non-access to the public's request to observe the beauty of this natural wonder. The National Park Service, I heard, not only will stop overflights at the Grand Canyon, but the remaining 200+ park facilities are on a list also. Eventually, I believe, the Park Service will attempt to limit even the public's access because of the "natural quiet" mandate of 20 db's. The overflight issue at the Grand Canyon is actually the genesis of an eventual takeover and access control program into the National Park System and the only people who will enjoy the "natural quiet" will be park service employees. Reason: The "natural quiet" of the Yellowstone Park has never been below 20 db's since the first Model-T came to enjoy the view. If you have a view or concern, please contact your congressional delegation.

The aviation industry is so important to this country's economy, its growth and the future. It is a wonder how the national political arena continues to bash on it. The Meigs Field closure issue, the national park overflights, Fedex truck driver legislation jeopardizing the Airport Improvement Program along with other FAA operation funding. Why can't Washington just take a deep breath and do it right for the industry?

The front page story in this Quarterly is of course a concern for myself. I want the aviation community to know that the FAA, at the Washington level, has been very cooperative and concerned as we work through this difficulty.

The Aviation Council is in the planning stage for the Upper Midwest Aviation Symposium. If you have an idea, concern or request, please contact them with your input.

The summer was short and hopefully the fall will be long. Please keep in touch.

AVIATION EXCISE TAXES REINSTATED WITH PROVISION THAT CUTS FBO COSTS, ENSURES ALL AVGAS TAXES GO TO AVIATION

A provision that simplifies collection of aviation fuel taxes and directs revenues to the Airport and Airway Trust Fund has been enacted with the reinstatement of aviation excise taxes.

The stopgap reinstatement, effective from August 28 to December 31, was included in H.R. 3448, the minimum wage law signed by President Clinton August 20.

With the assistance and legislative sponsorship of Representative Mel Hancock (R-Mo.), AOPA Legislative Action drafted the technical provision in H.R. 3448 which separates the aviation gasoline tax from the highway transportation levy. The change simplifies tax collection and eliminates a cost of business for FBOs and other aviation gasoline retailers.

The change also eliminates the possibility that any future increase in the highway levy would be imposed automatically on aviation consumers.

When Congress established the Airport and Airway Trust Fund in 1970, it linked the federal excise tax on avgas to the already existing highway gasoline tax. Aviation and highway gasoline were considered the same commodity for tax purpose. This tax was collected at the manufacturing wholesale level.

But Congress also imposed an additional tax on avgas to be collected by the retailer (FBO). At the present tax rate of 19.3 cents per gallon, one cent has been levied at the pump and collected by the FBO while the remaining 18.3 cents was collected by the wholesaler.

When aviation excise taxes expired last year, all revenue to the aviation trust fund stopped. But collection of the 18.3 cent portion of the avgas tax, the portion linked to the highway levy, continued. Since January 1, 1996, those taxes accrued to the highway, not the aviation, trust fund.

Under the legislation now adopted, all taxes collected for aviation purposes will go to the aviation trust fund and will be collected at manufacturing level, thus relieving FBOs from tax collection costs and complexities.

**SEND US
YOUR NEWS!**

*Send the Quarterly
your photos, stories,
photos, news, photos,
event schedules and
photos!*

NDAAA FALL MEETING HIGHLIGHTS

Interested members gathered on October 17 to discuss current and future industry affairs. Of concerns were the recommendations made by the Task Force on Aerial Application Regulations. Gary Ness, ND Aeronautics, and those present discussed the long term effects of the recommendations, the legislative concern and the ability to insure that the proposed recommendations would indeed promote safety, industry technology, financial responsibility and accountability to the growers and the public. The Task Force recommendations will be reviewed by the Aeronautics Commission. The response time of the Commission will depend on if the change(s) pursued requires legislative activity. The group present reached a consensus and some members intend to be present at the Commission meeting.

Vern Hofman (NDSU Extension Service) reported on the canopy penetration studies that were done during the growing season. The data was sent for tabulation but the results are not back. Therefore, no conclusion can be drawn as to the ground vs. aerial application controversy at this time. The study itself generated more questions: the loss due to driving through the crop, drift potential of the air blast sprayers, types of aircraft, pilot technique and coverage vs. total volume of application. Tim McPherson volunteered to work with Vern Hofman to define what answers are sought and the methods to research them. The NDAAA previously allocated up to \$5,000 for the canopy penetration study of which \$3,000 was spent.

After being presented with the 1996 Ag complaints compiled by the North Dakota Department of Agriculture, questions arose as to the action taken on two of the complaints. Jerry Thompson, Ag Department, responded to the questions.

Roger Pfeiffer, Aeronautics Commission, supplied those present with a copy of the rewritten "Application and License for Commercial Aerial Application" form. He also commented that if the form was not properly completed it would be returned to the applicant and a license would not be issued until the form was filled out correctly. During the 1996 spraying season there were 208 spray operators registered (6 were private, 31 out-of-state) and 369 aircraft registered according to the Aeronautics Commission's records. The question of the number of operators actually paying worker's compensation on hired pilots was asked. Although not known, the Director of the Aeronautics Commission said that information would be researched and made available.

At the recent NAAA Board meeting, Rick Hoistad, NAAA Director, was nominated as

vice-president of the NAAA. If elected at the December NAAA Board Meeting, an alternate NAAA director will be named to serve during the 1997 year. Others receiving nominations were President - Jay Morris (ID), Treasurer - Mike Schiffer (MI), and Secretary - Neal Usery (AL). Randy Lahren, Zeneca Leadership Trainee, gave a brief overview of the program and encouraged others to submit their application for the 1997 session. Other topics related to NAAA activities included the Spray Drift Task Force, the endangered species legislation which is expected surface in 1997, the Food Quality Protection Act of 1996, the concerns about Roundup and its possible exclusion by insurance companies, insurance rate increases and the PAASS Program which is being developed by the National Agricultural Aviation Research and Education Foundation. The annual convention is December 9-12, 1996 in Reno, NV. A celebration of 75 years of aerial spraying is the convention theme.

Exclusion from jury duty during the spraying season surfaced as a ND legislative concern. The industry knows that the financial responsibility issue will reappear during the upcoming session and has formulated the response of bonding, buying insurance or a statement of net worth, through the task force recommendations. A concern surrounding financial responsibility is that all commercial pesticide applicators (ground and air) have the same requirements.

Our helmets off to Ostlund Chemical Company for the use of their board room. Although a quorum was not established, the meeting was considered successful in terms of disseminating information and obtaining feedback.

PILOTS NOW NOTIFIED OF AIR FORCE GPS "JAMMING" TESTS

Pilots can now find out about Air Force GPS "jamming" tests. Electronic countermeasure (ECM) tests are conducted almost daily in the Southwest and can make GPS navigation signals "unreliable" for several hours within 300 miles of the test site.

"It was very difficult for a pilot to find out about these 'area' GPS signal disruptions because FAA had classified GPS-ECM test warnings as Local NOTAMS," said Marty Shuey, AOPA vice president for air traffic control.

Shuey said a cross-country pilot probably would not have learned about GPS-ECM testing as part of a routine route briefing. Local NOTAMS normally apply to specific airports. They must be requested from the Flight Service Station in the area and they aren't available on the DUATS briefing service.

AOPA asked FAA to reclassify GPS-ECM test warnings as Distant NOTAMS, which FAA has now done. Distant NOTAMS are

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AOPA AIR SAFETY FOUNDATION WEATHER STUDY BREAKS NEW GROUND IN EXAMINING GENERAL AVIATION ACCIDENTS

The AOPA Air Safety Foundation has released its groundbreaking 368-page study, *General Aviation Weather Accidents: An Analysis and Preventive Strategies*, the first comprehensive review of general aviation weather accidents. The study was funded by a major grant from the Flying Physicians Association.

GA Weather Accidents offers a comprehensive list of recommendations including an educational supplement with training guidelines and an adverse weather checklist.

"Pilots, flight instructors, and policy makers will find this study invaluable for improving our understanding of the most persistent challenges facing aviation," said Bruce Landsberg. ASF is sending copies of *GA Weather Accidents* to top FAA and NTSB decision-makers.

ASF researchers spent more than a year examining 11 years of accident records. They isolated 5,894 weather-related accidents from among the more than 22,000 general aviation accidents that occurred between 1982 and 1993. Utilizing its unique Aviation Safety Database, Air Safety Foundation separated weather accidents into four major categories: wind-related, low visibility, airframe and induction icing, and thunderstorms.

Further categorization included pilot experience level and class of aircraft flown. This extensive "data mining" sets *GA Weather Accidents* apart from preceding studies.

Among the many findings in *General Aviation Weather Accidents*:

- Low-time pilots most at risk
Pilots of fixed-gear singles are at greatest risk during their first 100-hours of flying, when they account for 18% of all weather accidents. After the 100-hour mark, their weather accidents drop off sharply. But the percentage of fatal weather accidents spikes at the 100 to 200-hour experience level for fixed gear pilots and at the 200 to 300-hour level for retractable gear pilots.

"This seems consistent with the theory that overconfidence can kill after pilots rack up enough flight time to lull themselves into complacency," ASF says.

- Most weather accidents occur during Day

(Continued on Page 8)

VFR conditions

A surprising finding was that most weather-related accidents – 65% – occurred during daytime VFR conditions on summer weekends. These accidents were usually the result of a pilot failing to cope with strong surface winds, gusts, crosswinds, or high density altitude.

" At first glance, these conditions may not seem as threatening as thunderstorms or icing," wrote ASF, "yet they contributed to accidents producing huge insurance claims and many lesser injuries."

Forty-eight percent of all weather accidents were wind-related. "The fact that botched crosswind landings are so heavily represented in the statistics is a sad commentary on pilot proficiency levels."

The study also showed that high density altitude contributed to almost as many fatal accidents as thunderstorms.

- Thunderstorm accidents rare but deadly
Thunderstorm encounters accounted for only 3.5% of all weather-related accidents, but 66% of those accidents were fatal. Initiating IFR flight into reported areas of adverse weather was the highest ranking cause of thunderstorm accidents, followed by VFR attempts to fly around thunderstorms or into deteriorating weather.

- Carburetor icing is a major problem
Out of 637 accidents linked to various forms of icing (structural, carburetor, and icy runways), carburetor ice was a cause or factor in 51%. Failure to use carburetor heat was the most frequently identified cause or factor.

- VFR-into-IMC most deadly
Continued VFR flight into instrument meteorological conditions is by far the most dangerous activity. More than 80% of all VFR-into-IMC accidents were fatal. Twenty-seven percent of all fatal accidents involved VFR-into-IMC.

Surprisingly, these accidents were not confined to low-time pilots. Thirty-six percent of pilots involved in VMC-into-IMC accidents had over 1,000 hours; 27% held instrument ratings.

These pilots were not uninformed. Two-thirds had received "VFR not recommend" weather briefings and 14% flew into areas of reported convective activity. Nearly 15% crashed on takeoff or during initial climb, indicating the immediate danger should have been obvious from the ground.

- Instrument rating improves safety
GA *Weather Accidents* provides evidence that an instrument rating promotes safer

flying. Pilots of fixed-gear singles with less than 50 hours of instrument time were involved in 58% of all weather accidents and 47% of fatal weather accidents.

When pilots gain more experience – 50 to 100 hours on instruments – the risk goes down by more than 80% to a level of less than 9% of all accidents. With even more instrument time, the incidence of weather accidents drops to the bottom of the chart.

Data Easy to Find, Interpret

General Aviation Weather Accidents presents its valuable data in a variety of ways to make accident problem areas apparent. Pilots will appreciate 18 "Quick Look" summaries including categories listing fatal weather accidents, low time accidents, and wind-related accidents.

Another section takes a comprehensive statistical review. Examined are such factors as pilot qualifications and total time, recency of experience, and months since last biennial flight review.

GA *Weather Accidents* also includes more than 100 weather "case studies" – NTSB accident briefs with additional ASF commentary about what went wrong.

Recommendations and Training Guidelines

General Aviation Weather Accidents offers a complete section of recommendations and training guidelines. The most important recommendation? ASF finds that general aviation's safety record could improve most if pilots get judicious exposure to weather during training.

The ASF's guidelines call for flight instructors to place much more emphasis on weather interpretation and crosswind techniques, both during initial training and Biennial Flight Reviews.

Students working towards a Private pilot certificate should get three hours of instructional flight in marginal VFR weather conditions and five hours of actual instrument flight. GA *Weather Accidents* shows that many aren't prepared for it. An academic approach to weather judgement isn't working. Pilots need to be trained in actual conditions – to develop 'street smarts' about weather in the real world. Training does not and should not end when the pilot receives a certificate."

Landsberg also thanked the Flying Physicians Association for funding *General Aviation Weather Accidents*. "The aviation community owes a debt to FPA for its public spirit in helping the Air Safety Foundation tackle a major problem area."

General Aviation Weather Accidents "An Analysis and Preventive Strategies" is available for \$24.95 through Sporty's Pilot Shop. Call 1-800-543-8633 to order.

UND WINS REGIONAL FLYING COMPETITION; WILL SEEK 11TH NATIONAL TITLE IN APRIL

The University of North Dakota Flying Team, lead by rookie coach AL Skramstad, won the Region V National Intercollegiate Flying Association flying meet at St. Cloud, MN. The UND team has now earned the right to defend its national title at the April competition to be hosted by Western Michigan University in Battle Creek. The UND team has won the national title 10 of the past 12 years.

Results of the three day events in which nearly sixty collegiate aviators representing five colleges and universities from around the upper Midwest competed were announced at an awards banquet.

St. Cloud University, which finished second overall, will also go to the NIFA national competition. The team scores are as follows:

University of North Dakota-307, St. Cloud State (MN) University-172, University of Dubuque (IA)-87, and Mankato (MN) State University-77.

The UND team was lead by Joshua Kendrick who earned the Top Pilot title for the competition winning the Navigation/Flight Planning event and scoring points in four other events. UND's Susan Bailey scored wins in two events (Power-off and Short Field Landings) as did Chris Van Cinkel (Aircraft Recognition and Computer Accuracy). Bill Bailey won the Preflight event and Robert Shaw took first place in the VFR Navigation event with only six penalty points which is a new regional meet record and is believed to be a national record, too. In all, the UND team won seven of the nine events, placed four pilots in the top five for Top Pilot and won the meet's Safety Award.

"This was an outstanding performance by our team with very little practice time to prepare," said coach Al Skramstad. "The stage is now set for the national meet next spring and the team knows there is lots of work to be done between now and then to go back and defend our title."

Four teams competed in a total of nine events – four flight events (Power-off and Short Field Landings, VFR Navigation, and Message Drop) and five ground events (Computer Accuracy, Simulator, Aircraft Recognition, and Navigation/Flight Planning).

FROM YOUR NORTH DAKOTA AFSS

Richard E. Coughlin, Air Traffic Manager

It was a dark Dakota night (the kind that people read about) heavy clouds are drifting slowly all around, and bright flashes of light dance on the horizon. You can feel the moisture sticking to the air, making it heavy. You can just make out a small town ahead in the distance from the eerie orange glow against a lowering ceiling. Nothing on the windshield, yet, but soon - very soon ...

A pilot's awareness and concentration are subject to many influences during routine operations. Keeping current on the status of adverse weather benefits them during encounters with difficult flying situations. While the previous scenario is most likely not the most hazardous flying weather you'll ever encounter, it can still be a little unnerving, even on a short hop.

Information is a handy tool to have in your arsenal when confronting nasty weather. One way to get a better feel for what's waiting on the other end is to check with the Flight Service Station or EFAS. They can fill you in on hazardous weather, including AIRMETS, SIGMETs, and CONVECTIVE SIGMETs. These products and many more are available to offer assistance to pilots. Some of the other items offered by Flight Service include real-time Doppler RADAR, up-to-the-minute pilot reports, and the latest available weather reports. This type of information can help a pilot avoid potentially hazardous developments during flight planning stages, enroute operations, and terminal phases of flight. This is one instance where prevention versus cure rules apply.

Always feel free to get updates on aviation information, and help keep us informed as well by passing pilot weather reports and other important data. Together we can provide a safer, more orderly, and expeditious way to get things done. If Grand Forks AFSS can be of assistance to you or your organization, please feel free to contact us at (701) 772-7489/2407, or FAX (701) 746-0936.

WHAT'S FLYING IN NORTH DAKOTA

Mark J. Holzer, ND Aeronautics Commission

You may wonder as to the status of flight activity in our state? Is flying up or down? Is the industry revitalized by general aviation reforms. Well, one way to look at it is through the fuel gallonage used by aviators.

Total Aviation Fuel Gallon Purchases in North Dakota (Gallons in Millions) Fiscal Years Ending July 31st

Gallons	1982	1986	1990	1994	1996
AvGas	3.4	2.4	3.0	2.9	3.0
Jet	11.0 (Est.)	8.6	8.7	8.2	10.0
TOTAL	14.4	11.0	11.7	11.1	13.0

AvGas totals have been rather stable at 3,000,000 gallons purchased annually. Jet fuel purchases have increased by users such as air freight, airline carriers, aerial sprayers, air taxi, and transient jet visitors to the state. The growth of business twin engine aircraft is seen to contribute to the jet increases as total aircraft registered in North Dakota in the 1990's is stable at 1750+ aircraft.

**UMAS '97:
March 2-5, 1997
Radisson Inn
Bismarck
PLAN ON IT!**

STATE AIRPORT CONSTRUCTION GRANTS

Mark J. Holzer, Aviation Planner
ND Aeronautics Commission

As Congress recently passed a new two year federal airport construction program, changing allocation formulas and airport groups, the State will review funding directions. Airports have 5-year capital improvement plans that guide FAA, state, local sponsors on the timing of grants.

With 50% of North Dakota's 94 public use airports competing for 90% federal dollars, demand for state match is rising. State construction funds are raised by aviation fuel taxes, excise tax on aircraft sales, and general fund revenue. The construction fund allocations to airports in 1996 was over \$600,000. Over the last six years (1990-1995) at general aviation airports, grants approved by the 5-member Aeronautics Commission Board accomplished on a percentage basis;

- Crack sealing asphalt surface 8%
- Seal coats/pavement rejuvenation 9%
- Runway overlays/reconstruction 21%
- FAA projects (airport reconstruction) 54%
- Misc., lighting, land, taxiways/aprons 8%

The commission board holds safety, airport rehabilitation and matching federal funds as a priority in its grant making decision. Most of these projects are not federally eligible and without state aid, maintenance and safety improvements would be delayed.

The state airport program will be 30 years old in 1997. The commission is proud of its achievements totaling \$14.4 million, in grants throughout the years. Without the support of the airport authority's donating their time and airport management oversight of contractors and engineers, these projects do not just happen. Next time you land at a public airport, thank the sponsor for taking care of the airport to provide for safe flight. Take time to support airport projects or you may be faced with closure of the airport. We are averaging one closed public airport per year in the decade of 1990's. Without pilot, ag-sprayer, fixed based operator, and aviation business owner interest in airport safety and modernization, projects may not address your needs.

If you have questions or would like to issue support for an upcoming airport project, call me at the Aeronautics Office at 701-328-9657.

HIGHLIGHTS OF FAA REAUTHORIZATION ACT OF 1996

As the 104th Congressional Session ended, a comprehensive aviation legislation act was passed for two years.

Issues addressed were user fees, airport development, pilot records, aviation security, child flight, and air service subsidies. Highlights of the provision are:

- Deferral of establishing new user fees by study of FAA needs and revenues
- Requirements for obtaining and providing pilot training records
- Expanding airport certification Part 139 to

- regional airports
- Airport and airline security new initiatives
- Airport funding changes
 - Increased construction funding at BIFAR-GFK-MOT.
 - Regroup general aviation and commercial services ISN-JMS-DVK-DIK to one category for state appointment grants.
 - Provide greater access to discretionary funds for smaller than non-hub airports.
 - Broadens passenger facility charge (PFC) funds to pay federal mandates.

- Change FAA language to eliminate promotion mandate so today's focus is safety and security.
- Administrative reform, equipment acquisition and modernization of ATC with FAA. A 15-member advisory council will be appointed in oversee FAA matters.
- DOT to study rural airfares and airline service levels.

Contact your National Aviation Association offices for more details on this Act.

NORTH DAKOTA AVIATION HALL OF FAME

The North Dakota Aviation Council, your state wide aviation organization, is made up of seven separate aviation associations; Airport Association of North Dakota, North Dakota Aviation Association, North Dakota Agricultural Aviation Association, North Dakota Flying Farmers, North Dakota Pilot Association, North Dakota Professional Mechanics Association, and the North Dakota Sport Aircraft Association is sponsoring the **North Dakota Aviation Hall of Fame**.

An art design contest for a logo to enhance the image of the "Hall of Fame" will be conducted. To obtain an application for nomination or for further information on the logo contest, please call (701) 328-9650.

HALL OF FAME NEEDS LOGO

It is the desire of the North Dakota Aviation Hall of Fame Committee to have a very distinctive logo representing the history of North Dakota Aviation.

Thus, the Committee has offered the following cash awards for the top logo designs: 1st Place - \$250.00, 2nd Place - \$100.00, 3rd Place - \$50.00.

This logo will be used on letterhead, plaques and for the Hall of Fame display area at the Bismarck Municipal Airport. The winning entry will become the property of the North Dakota Aviation Hall of Fame. Other entries will be returned to the participants. Submittals should be

in 8"x10" format, reproducible in black/white. Consideration should be taken that the logo will be reproduced in several sizes.

Deadline for submittal is February 15, 1997. Send entries to:

North Dakota Aviation Hall of Fame
P.O. Box 5020
Bismarck, ND 58502

The winners will be announced in Bismarck on March 3, 1997 during the Upper Midwest Aviation Symposium. Should you have any further questions, please call (701) 328-9650.

NORTH DAKOTA AVIATION HALL OF FAME

Name of Nominee: _____

Birthdate: _____ If Deceased, Date of Death: _____

Place of Residence: _____

City/County in which this nominee's greatest aviation contribution took place, with respect to this award:

THIS NOMINATION SUBMITTED BY:

Individual or Corporation

Address, City, State

Telephone: (Home) _____ (Work) _____

INSTRUCTIONS:

- Nominee's achievements must be submitted double spaced type written.
- Maximum of three pages.
- Nominator is responsible for a black and white 5 x 7 photograph of nominee (if the nominee is selected).
- Each entry should include:
 - Achievements towards the enhancement of aviation.
 - Contribution to the development of others in aviation.
 - Service to the State of North Dakota in aviation activities, either directly or indirectly.
 - Any pertinent information should be attached to the nomination form.
- Send nomination to Aviation Hall of Fame
P.O. Box 5020, Bismarck, ND 58502 before December 31, 1996.
Any questions, please phone (701) 328-9650.

("Fargo Inspector" continued From Page 1)

over her four year tenure as Chief. She repeated her often stated point of view that aviation safety is the FSDO's "only" goal and that her "door remains open to discuss any issue with anyone in the District" at all times. She further told the *Quarterly* that as Chief, she "wants to see resolution [of the issue] and to go past this."

FAA Headquarters sources told the *Quarterly* that when such transfer requests are received, a very detailed process taking some time is activated. The request is reviewed at FAA Headquarters, then reviewed and discussed with the local FSDO. After that a customer survey team is often sent out to the District where they conduct interviews and talk with

the aviation industry and general aviation community. Office personnel are also interviewed by the team, who then makes their recommendations to the Assistant Administrator. Normally the process can last four to six months.

("Jamming" Tests continued From Page 4)

sent automatically to all Automated Flight Service Stations and to DUATS.

"But pilots will still have to ask specifically for GPS NOTAMS to find out about any GPS problems," said Shuey. Because GPS NOTAMS are "upon request," FSS specialists will not automatically include GPS notices in route briefings.

DUATS users should enter "GPS" as a location identifier to view all GPS NOTAMS.

GPS-ECM tests usually run about two hours. While the tests have been centered in southern Arizona and southern New Mexico, the Air Force may conduct GPS-ECM tests in other parts of the southern US.

Because the US will eventually turn off "se-

lective availability" – the current practice of degrading the GPS signals available to non-military users – the Air Force is testing local area electronic countermeasures as a means of preventing hostile use of GPS without disrupting worldwide civilian use.

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