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TRANSPORTATION

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AIRPORT INFRASTRUCTURE FUNDING AND THOUGHTFUL TRANSITIONS INTO THE FUTURE OF AVIATION

Requested Action:

Increase Airport Improvement Program Funding to \$4 billion annually.

- Airports depend on Congressional authority and funding to modernize aging facilities. In 2021, U.S. airports faced a backlog of planned and necessary infrastructure projects that totaled at least \$115 billion. Now, just three years later, airport infrastructure needs have swelled to \$151 billion for over the next four years¹.
- Airport infrastructure needs span the entire airport ecosystem, but terminal projects make up 43 percent of the total need. Airports must be in a position to fund these projects. Failing to do so means turning down the opportunity to add new entrants that stimulate competition, reduce airfares and increase connectivity for the benefit of local communities.

Oppose Unfunded Federal Mandates.

- U.S. airports continue to oppose any new burdensome federal requirements for additional grant assurances, which lead to costly, unfunded federal mandates.
- One such unfunded mandate is the Transportation Security Administration's (TSA) Airport Security Program National Amendment (TSA-NA-23-02), which would mandate redundant and onerous screenings, requiring airports to recreate the individual screening process TSA officers are already trained for, have equipment for, have expertise in, and are already performing.
- At Sacramento International Airport, the unfunded mandate is projected to cost \$1.1 million in the first two years and an additional \$2.1 million annually thereafter.

¹ National Plan of Integrated Airport Systems 2023 – 2027, Federal Aviation Administration
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Help Airports Transition Away to Florine-Free Fire-fighting Foam (F3).

- U.S. airports strongly support the creation of a new grant program for airports to buy new fire-fighting foam and properly dispose of old foam.
- Within the Sacramento County Department of Airport System, disposal and purchases of new foam are projected to cost \$900,000.

Business Nexus

California's Capital Region has more than a dozen public-use airports that provide commercial passenger and cargo, flight training, and general aviation services to the community. These airports contribute to national, state, and local economies by supporting high-paying jobs while providing vital air transportation, including fire and rescue, medical evacuation, and military support services, in times of public need. Collectively, airports in the United States generated \$1.7 trillion in total economic output and supported 11.5 million jobs.²

As final legislation reauthorizing the Federal Aviation Administration (FAA) for the next five years begins, consideration of important reforms would not only benefit airports in the Capital Region but would also ensure sustained infrastructure investment, reduced regulatory burdens, support and create good-paying jobs, stimulate the economy, advance important environmental goals, and improve the passenger experience for travelers nationally.

Background

Airport Funding Needs:

- U.S. airports have \$62.4 billion in Airport Improvement Program (AIP) and Bipartisan Infrastructure Law (BIL)-eligible projects between now and 2027 -nearly \$12.5 billion annually. In recent years, however, airports have received less than half that amount in annual AIP grants
- Delayed investments primarily drive the increased need for airport infrastructure funding due to the COVID-19 pandemic; as aviation recovered, airports reevaluated their infrastructure needs to meet demand..
- Total airport funding needs now exceed \$150 billion through 2028 for AIP-eligible, Passenger Facility Charge (PFC)-eligible, and other necessary projects.³

² 2023 U.S. Airport Infrastructure Needs Report, Airports Council International

³ National Plan of Integrated Airport Systems 2023 – 2027, Federal Aviation Administration
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- The need for improved airport infrastructure will grow with passenger traffic, which is expected to increase to 158 percent of 2019 levels in 2040. Additionally, cargo traffic is projected to increase to 167 percent of 2019 levels during the same period.⁴

Unfunded Federal Mandates:

- Airports are not opposed to measures that mitigate insider risk, including inspection of aviation workers. However, as drafted, the Aviation Worker Screening National Amendment (TSA-NA-23-02) imposes a substantial unfunded mandate and creates new liability for airports.
- The TSA-NA-23-02's mandate effectively imposes upon airports significant new liability risks, including potential liability from federal and state constitutional claims arising out of administrative searches and potentially catastrophic liability arising out of an airport's inability to detect prohibited items that are later used for a criminal or terrorist act. TSA or Congress must address these liability concerns before airports can participate in any aviation worker screening program.
- Additional staff or contractors will also be necessary to perform screening, and the TSA mandate also requires the acquisition, deployment, operation, and maintenance of sophisticated screening technology. TSA does not have the resources to fund such a program, and airports are already experiencing challenges with hiring staff-- from bus drivers to law enforcement-- to perform various airport functions. There are no funding resources readily available to airports to implement TSA-NA-23-02 as drafted.

Fluorine-Free Fire-fighting Foam:

- For decades, the FAA has required Part 139-certified airports (commercial service airports) to use fire-fighting foam containing per- and polyfluoroalkyl substance (PFAS), citing the ability of PFAS-containing foams to extinguish any fires, including those involving aviation fuel, quickly.
- In February 2024, the Environmental Protection Agency (EPA) released a proposed rule that would list PFAS chemicals as hazardous constituents, a first step toward regulating PFAS as hazardous waste, which would require airports to safely manage the storage, use and disposal of the fire-fighting foam airports have been required to use.
- Airports are committed to being responsible partners with their communities by operating their facilities in safe, secure, and environmentally responsible ways and therefore support the transition to fluorine-free fire-fighting foam (F3). Making the transition to F3 eligible for federal funding ensures an expeditious transition to address PFAS-related concerns in their communities. Congress has directed

⁴ ACI World Airport Traffic Forecasts 2021 - 2040, Airports Council International

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the FAA to expedite testing of alternative fire-fighting foams and to certify a PFAS-free fire-fighting foam by the end of 2021. The FAA has not yet approved PFAS-free foam. However, airports must continue to comply with the FAA mandate to use PFAS-based fire-fighting foam until the agency changes its directive.

- The cost associated with the transition to F3 for training, cleaning and/or acquiring new fire-fighting rigs, and disposal of current inventories of PFAS-laden foams will be extremely high. Liability associated with PFAS in groundwater may well be astronomical. Because the federal government, through FAA, has historically required airports to use fire-fighting foam containing PFAS, airports will look to the federal government for assistance in funding these initiatives.

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