

DATE SUBMITTED 09/01/2016
 SUBMITTED BY Interim City Manager
 DATE ACTION REQUIRED 09/07/2016

Agenda Item No F-8
 CITY COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: ESSENTIAL AIR SERVICE (MOKULELE AIRLINES) FOR THE IMPERIAL COUNTY AIRPORT.			
<p align="center">1. APPROVE SUBMITTAL OF WAIVER PETITION/LETTER OF SUPPORT FOR THE CONTINUANCE OF EAS FOR IMPERIAL COUNTY AIRPORT TO THE DEPARTMENT OF TRANSPORTATION.</p>			
DEPARTMENT INVOLVED: City Council/Interim City Manager			
BACKGROUND/SUMMARY: The City of Imperial recently received a Final Order from the US Department of Transportation stating that 22 communities failed to meet certain eligibility criteria which makes them no longer eligible for the Essential Air Service program. The Imperial County is one of the 22 communities listed. A waiver petition can be submitted to the DOT for reconsideration of the requirements. The due date for such waiver petition is September 28, 2016. The City is in contact with the County of Imperial to begin a waiver petition along with assistance from David Turch & Associates.			
FISCAL IMPACT:			
STAFF RECOMMENDATION			
MANAGER'S RECOMMENDATION:	MANAGER'S INITIAL <u>JG</u>		
MOTION: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> SECONDED: AYES: NAYES: ABSENT: </td> <td style="width: 50%; vertical-align: top;"> APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO: </td> </tr> </table>		SECONDED: AYES: NAYES: ABSENT:	APPROVED () REJECTED () DISAPPROVED () DEFERRED () REFERRED TO:
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**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.**

Issued by the Department of Transportation
on the 29th day of August, 2016

Essential Air Service at

**ALAMOSA, COLORADO
ALTOONA, PENNSYLVANIA
BRADFORD, PENNSYLVANIA
CLARKSBURG/FAIRMONT, WEST VIRGINIA
DUBOIS, PENNSYLVANIA
EL CENTRO, CALIFORNIA
FORT DODGE, IOWA
FRANKLIN/OIL CITY, PENNSYLVANIA
HAGERSTOWN, MARYLAND
JACKSON, TENNESSEE
JAMESTOWN, NEW YORK
JOHNSTOWN, PENNSYLVANIA
KEARNEY, NEBRASKA
LANCASTER, PENNSYLVANIA
MACON, GEORGIA
MASON CITY, IOWA
MERCED, CALIFORNIA
MUSCLE SHOALS, ALABAMA
OWENSBORO, KENTUCKY
PARKERSBURG, WEST VIRGINIA/MARIETTA, OHIO
PENDLETON, OREGON
PRESCOTT, ARIZONA
PUEBLO, COLORADO
SALINA, KANSAS
SCOTTSBLUFF, NEBRASKA
SHOW LOW, ARIZONA
TUPELO, MISSISSIPPI
VICTORIA, TEXAS
VISALIA, CALIFORNIA
WATERTOWN, SOUTH DAKOTA**

**DOT-OST-1997-2960
DOT-OST-2002-11446
DOT-OST-2003-14528
DOT-OST-2005-20736
DOT-OST-2004-17617
DOT-OST-2008-0299
DOT-OST-2001-10682
DOT-OST-1997-2523
DOT-OST-2006-25228
DOT-OST-2000-7857
DOT-OST-2003-14950
DOT-OST-2002-11451
DOT-OST-1996-1715
DOT-OST-2002-11450
DOT-OST-2007-28671
DOT-OST-2001-10684
DOT-OST-1998-3521
DOT-OST-2000-7856
DOT-OST-2000-7855
DOT-OST-2005-20734
DOT-OST-2004-19934
DOT-OST-1996-1899
DOT-OST-1999-6589
DOT-OST-2002-11376
DOT-OST-2003-14535
DOT-OST-1998-4409
DOT-OST-2009-0305
DOT-OST-2005-20454
DOT-OST-2004-19916
DOT-OST-2001-10644**

Final Order terminating eligibility
Under 49 U.S.C. § 41731 *et seq.* and granting waivers from certain
requirements for a class of communities

FINAL ORDER TERMINATING ELIGIBILITY, GRANTING WAIVERS FOR CERTAIN COMMUNITIES, AND ESTABLISHING WAIVER PROCEDURES

Summary

By this Order, the United States Department of Transportation (the Department) makes final its tentative determinations in Order 2016-5-17, May 20, 2016, that 22 of the communities captioned above failed to meet certain eligibility criteria and, thus, are no longer eligible for the Essential Air Service (EAS) program. These communities may petition for a waiver, in accordance with the procedures described in this Order.¹ The Department also makes final its tentative determinations in that same Order to grant waivers from the eligibility requirements to eight communities. Appendices A and B list those two groups of communities.

Background

The FAA Modernization and Reform Act of 2012 (“FAA 2012”), Pub. L. 112-95, amended 49 U.S.C. § 41731(a)(1)(B) to change the definition of “eligible place” for the purpose of receiving EAS. The amended statute now states that to be an eligible place, a community must maintain an average of 10 enplanements or more per service day, as determined by the Secretary, during the most recent fiscal year beginning after September 30, 2012. The legislation exempts locations in Alaska and Hawaii and communities that are more than 175 driving miles from the nearest large- or medium-hub airport.² The Secretary also has the authority to waive the 10-enplanement standard, on an annual basis, if the community can demonstrate that the reason the location averages fewer than 10 enplanements per day is due to a temporary decline in enplanements.³

The Department of Transportation and Related Agencies Appropriations Act, 2000, Pub. L. 106-69, prohibits the Department from subsidizing EAS for communities located within the 48 contiguous States when per passenger subsidy amounts exceed \$200, unless the communities are located more than 210 miles from the nearest large- or medium-hub airport (the “Subsidy Cap”). On October 9, 2014, the Department issued a Notice of Enforcement Policy announcing how the Department intended to enforce compliance with the Subsidy Cap.⁴ As stated in the Notice of Enforcement Policy, all communities receiving subsidized EAS had until September 30, 2015, based on data from October 1, 2014, through September 30, 2015, to ensure compliance with the Subsidy Cap or face possible termination of EAS eligibility. FAA 2012 authorized the Secretary of Transportation to waive the Subsidy Cap, subject to the availability of funds, on a case-by-case basis, for a limited period of time.

By Order 2016-5-17, May 20, 2016, the Department tentatively determined that 22 of the communities captioned above failed to meet either or both of the statutory eligibility standards

¹ The Department did not receive any amended proposals that would be in compliance with the statutory criteria.

² 49 U.S.C. § 41731(c) & (d).

³ 49 U.S.C. § 41731(e).

⁴ On May 1, 2014, the Department published a Notice of Proposed Enforcement Policy for the Subsidy Cap in the Federal Register, 79 Fed. Reg. 24632, for comment. After a 60-day public comment period and review, the Department issued the Final Notice of Enforcement Policy on October 9, 2014, 79 Fed. Reg. 60951.

above, but gave communities until June 9, 2016, to challenge the data the Department used in making tentative decisions. Specifically, all 22 communities exceeded the Subsidy Cap and eight of those also averaged fewer than the required 10 enplanements per day. Additionally, by Order 2016-5-17, the Department tentatively granted a waiver to eight communities⁵ that experienced an extended service hiatus during Fiscal Year 2015 and directed all interested persons to show cause why the Department should not make final the tentative waivers.

In response to Order 2016-5-17, the Department received objections from three communities, discussed below.⁶

Objections

None of the communities objected to the Department's tentative findings that the 30 communities identified in the Show Cause Order had a subsidy per passenger in excess of \$200. Alamosa, Pendleton, and Watertown, however, dispute the Department's mileage calculations to the nearest large- or medium-hub.

Mr. Francis S. Song, San Luis Valley Regional Airport Manager representing Alamosa, explained that a large portion of the city of Alamosa is more than 210 miles from the nearest large- or medium-hub airport, Albuquerque International Sunport, and that the airport is located in the geographic center of San Luis Valley, which includes six counties in Colorado. Mr. Song asserts that if "you reexamine the proximity of other major communities within the Valley who depend on ALS for transportation, you will find that the distance measured to Albuquerque exceeds the 210 miles. . ."

Honorable Steve Thorson, City of Watertown Mayor, disputes the Department's mileage calculation on the basis that the Department should calculate the mileage based on the geographic center of the community. According to Mayor Thorson, the geographic center of the City of Watertown is 212.97 miles to Minneapolis/St. Paul International Airport and should be used in place of the "city center."

The city of Pendleton objects to the Department's mileage calculation and states, "Using its expertise, familiarity with the roads in Oregon, and local data, the Oregon Department of Transportation has calculated the distance at 211.08 miles from the Portland International Airport terminal to Pendleton's Federal Aid Urban Boundary. The Department should accept this local expertise and the Oregon Department of Transportation's fully justified mileage calculation."

Proposals for Service that Comply with Subsidy Cap

49 U.S.C. § 41733(f)(2) states that the Secretary must establish procedures to permit a community to work directly with an air carrier to submit a proposal that would not exceed the Subsidy Cap prior to termination of eligibility for non-compliance with the Subsidy Cap. In

⁵ Bradford and Franklin/Oil City, PA, Fort Dodge and Mason City, IA, Macon, GA, Merced, CA, Muscle Shoals, AL, and Pueblo, CO.

⁶ A number of communities wrote in saying that they did not challenge the data the Department used but that they would apply for a waiver at the appropriate time.

Order 2016-5-17, the Department encouraged communities to work with the air carrier providing subsidized EAS to submit a proposal that complies with the minimum service requirements at 49 U.S.C. § 41732(b) for a subsidy below the Subsidy Cap. If a proposal to comply with the Subsidy Cap was contemplated, carriers were advised to express a willingness to amend their current Order for EAS service to reduce the subsidy, consistent with the submitted proposal. Communities that wished to submit a proposal in accordance with 49 U.S.C. § 41733(f)(2) had 20 days following the service date of that Order.

The Department provided the maximum subsidy level at the 22 communities that had continuous service during Fiscal Year 2015 required to be in compliance with the Subsidy Cap, assuming that enplanements remained constant at Fiscal Year 2015 levels. Further, the Department stated that if it determines that a proposal submitted was reasonable, the Department would amend the community's current Order for EAS service to align with that proposal, and take no further action based on the community's Fiscal Year 2015 non-compliance with the Subsidy Cap.

No community or air carrier submitted a proposal in order to comply with the Subsidy Cap.

Decision

Having received no objections to the Department's tentative findings regarding Altoona, Clarksburg/Fairmont, DuBois, El Centro, Hagerstown, Jackson, Jamestown, Johnstown, Kearney, Lancaster, Owensboro, Parkersburg/Marietta, Salina, Scottsbluff, Show Low, Tupelo, Victoria, and Visalia, the Department will finalize its tentative findings for these communities' distance to the closest medium or large hub, and average daily enplanements and/or subsidy per passenger, as listed in Appendices B and C.

The Department received objections from Alamosa, Pendleton, and Watertown. These communities argue that the Department should use a location other than the "city center" to measure the distances to the nearest large- or medium-hub airport. For the reasons described, herein, the Department rejects these objections and will finalize its tentative finding for these communities' distance to the closest medium or large hub, and average daily enplanements and/or subsidy per passenger, as listed in Appendix C.

In 2014, the Department published an Essential Air Service Enforcement Policy. The Policy stated, "Consistent with longstanding practice, DOT calculates the shortest driving distance between an EAS community and a large or medium hub airport from the center of the EAS community to the entrance of the nearest large or medium hub airport as determined by the Federal Highway Administration."⁷ Past DOT Orders demonstrate the Department's consistent application of this methodology.⁸

⁷ Essential Air Service Enforcement Policy, 79 FR 60951-01, 60951 n. 1 (Oct. 9, 2014).

⁸ See, e.g., DOT Order 2001-9-1, Docket OST-2000-8323 (Sept. 10, 2001) (finding that Ottumwa, Iowa is within 210 miles of the Kansas City International Airport by measuring from the center of the EAS community to the airport entrance); DOT Order 1993-10-48 (Oct. 29, 1993).

In the case of Alamosa, the FHWA reports that the total mileage from Alamosa City Hall to Albuquerque International Sunport is 205 miles (via Hunt Ave - Main Street - West Avenue - US 285 - Sunport Blvd).

In the case of Pendleton, the FHWA reports that the total mileage from Pendleton City Hall to Portland International Airport is 205 miles (via Dorian Avenue - 4th Street - Emigrant Avenue - I-84 - I-205 (War Veterans Memorial Highway) - Airport Way).

In the case of Watertown, the FHWA reports that the total mileage from the courthouse in Watertown, SD is 207 miles from Minneapolis/St. Paul International Airport (via S. Broadway Street – US 212 – I 494/SD 5).

Based on the information provided by FHWA in Appendix D of this Order, the Department will finalize its tentative conclusion that Alamosa, Pendleton, and Watertown are within 210 miles of a large- or medium-hub airport and, thus, are subject to the statutory Subsidy Cap.

In response to the argument that the Department should use the geographic center of a city in calculating mileage, the Department notes that “city center” is a term of art distinct from a city’s geographic center.⁹ In designating a starting point within a “city center” the Department often selects the city hall or courthouse.¹⁰ The Department’s use of the “city center” in calculating mileage is analogous to FHWA’s guidance for the calculation of distance on road and highway signs, which provides: “A well-defined central area or central business district should be used where one exists. In other cases, the layout of the community should be considered in relation to the highway being signed and the decision based on where it appears that most drivers would feel that they are in the center of the community in question.”¹¹

Moreover, the Department issued a Notice of Proposed Rulemaking (NPRM) and a Final Rule in 1989 that, among other things, addressed this issue.¹² In response to a budget cut in 1989, the Department was forced to make cuts to the program and sought comments on how to most fairly implement those cuts. One of the alternatives posed was to eliminate service to communities that were within close proximity to alternate air service at a nearby airport. In response to the NPRM, the following is a direct quote from the Final Rule:

⁹ See “city center,” Oxford Dictionaries, http://www.oxforddictionaries.com/us/definition/american_english/city-center?q=city+center (“The central part or main business and commercial area of a city.”); “City Center (disambiguation),” Wikipedia, [https://en.wikipedia.org/wiki/City_Center_\(disambiguation\)](https://en.wikipedia.org/wiki/City_Center_(disambiguation)), (“City Center may refer to a city centre, central business district, or downtown”); “City centre”, Wikipedia, https://en.wikipedia.org/wiki/City_centre, (“A city centre (or city center) is the commercial, cultural and often the historical, political and geographic heart of a city”).

¹⁰ See, e.g., October 13, 2015 Letter to the Honorable Steve Thorson, Mayor of Watertown, from Secretary Anthony Foxx (“Consistent with long-standing program practice, the Department measures the distance to the nearest large or medium hub airport by calculating the shortest driving distance between the hub’s entrance and the center of the EAS community, which is typically City Hall.”)

¹¹ Federal Highway Administration, Manual of Uniform Traffic Control Devices for Street and Highways 161, Section 2D.41 Distance Signs, (2009 Ed. Including Revisions 1 and 2 dated May 2012), <http://mutcd.fhwa.dot.gov/pdfs/2009r1r2/mutcd2009r1r2edition.pdf>.

¹² Notice of Proposed Rulemaking, Essential Air Service; Reductions, 53 Fed. Reg. 50233 (Dec. 14, 1988); Final Rule, Essential Air Service; Reductions, 54 Fed. Reg. 52766 (Dec. 22, 1989).

Four commenters suggested that measuring the distance from the city center of an affected EAS community failed to consider the fact that the affected community's airport often served many outlying areas, and that the highway miles from the farthest of those areas to the alternative service airport were often well in excess of the figures printed in the NPRM. Gauging mileage from a city center does operate to average out the distance from the surrounding area, but just as the distance would be more for some it would be less for others. Also, sometimes persons living some distance from an affected community would be closer to an alternate airport different from the one identified in the NPRM. Finally, the same situation would be true for virtually all communities, so valid relative comparisons can still be made.

However, one adjustment has been made from the mileage tabulations in the NPRM, in order to make the mileage calculations more representative of true conditions and fairer to the affected communities. In the NPRM, the measurements were made from the EAS community's city center to the city center of the community where the alternate service airport was located. The final rule instead measures the distance from the EAS community's city center to the alternate service airport itself, recognizing that this is the more relevant measurement for affected travelers.

In the Department of Transportation and Related Agencies Appropriations Act, 1994, Pub. L. 103–122, Congress established a limitation on the use of appropriated funds for service to communities located “fewer than seventy highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of \$200, unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport.” The legislative history of that Act indicates Congressional intent that the Department would calculate these distances consistent with the 1989 Final Rule, from the EAS community’s city center to the alternative airport.¹³

Regarding the position that the Department should consider the proximity of other major communities that rely on an airport in calculating the 210 miles, the Department has consistently calculated that mileage based on the city center of the *EAS Community*, and not surrounding

¹³ See 139 Cong. Rec. 23529 (1993) (Statement of Sens. Coats and Lautenberg) (Mr. COATS. . . “I want to clarify the ineligibility of communities for essential air service subsidy funds ‘that are located fewer than seventy highway miles from the nearest large or medium hub airport.’ This language follows the rulemaking by the Department of Transportation on December 22, 1989, as published in the Federal Register; volume 54, No. 245, 14 CFR part 398. That same rule also states that when determining the distance from an EAS community to an alternative service airport the final rule ‘measures the distance from the EAS community’s city center to the alternative service airport itself.’ Specifically, I want to clarify that it is the intention of the committee that determinations made by the Department of Transportation with regards to the reference of ‘fewer than seventy miles’ follow the rulemaking as referenced above. Mr. LAUTENBERG. The Senator is correct. The Intent of the committee was to follow the Department of Transportation rulemaking as cited above that cities ineligible for essential air service subsidy funds will be fewer than 70 miles to the nearest large or medium hub airport as measured from the EAS communities city center to the alternative airport itself.”) (emphasis added).

areas. The Department's consistent practice has been to measure from the city center of the EAS community to the entrance of the nearest large- or medium-hub airport.¹⁴

In addition, as outlined in Order 2016-5-17, the Department recognized that eight of the 30 communities at issue experienced an extended service hiatus in Fiscal Year 2015 during which time there was no scheduled EAS at the community. Because of the service hiatus, these communities endured a unique hardship during Fiscal Year 2015 that materially and substantially impaired their ability to comply with the 10 enplanement and Subsidy Cap requirements, and the Department proposed a tentative waiver from the requirements for Fiscal Year 2015.

The Department directed all interested persons to show cause why it should not make final the tentative findings of the eight communities. The Department received several letters of support for the tentative waivers. The Fort Dodge Regional Airport Commission, the Mason City Airport Commission, the Macon-Bibb Aviation Department, Merced Regional Airport, and the Northwest Alabama Regional Airport Authority (Muscle Shoals) all wrote in support of the grant of tentative waivers. The Department received no objections to the tentative grant of a waiver to the eight communities. Thus, the Department will finalize the waivers for these eight communities from their applicable eligibility requirements.

The waivers granted by this Order apply to Fiscal Year 2015. All eight communities will be expected to be compliant for Fiscal Year 2016, which ends September 30, 2016. See Appendix A.

Waiver procedures

Communities that have had their EAS eligibility terminated by this Order may petition for a waiver. The Department will consider petitions for a waiver of 49 U.S.C. § 41731(a)(1)(B) under the authority provided in 49 U.S.C. § 41731(e). The petition should state that it is a request for waiver from 49 U.S.C. § 41731(a)(1)(B) and include an explanation of the nature and extent of the relief sought and any information and arguments available to the petitioner to support the petition for waiver. For communities seeking a waiver from 49 U.S.C. § 41731(a)(1)(B), petitions should provide facts and circumstances to aid the Secretary's consideration of whether the "reason the location averages fewer than ten enplanements per day is due to a temporary decline in enplanements."

The Secretary also has authority to grant waivers from the Subsidy Cap. Section 426 of Public Law 112-95 states, "subject to the availability of funds, the Secretary may waive, on a case-by-case basis, the subsidy-per-passenger cap established by section 332 of the Department of Transportation and Related Agencies Appropriations Act, 2000 (Public Law 106-69; 113 Stat.

¹⁴ Essential Air Service Enforcement Policy, 79 FR 60951-01, 60951 n. 1 (Oct. 9, 2014). See also DOT Order 2002-4-24, Docket OST-2002-11450-9 (Apr. 29, 2002) ("The Authority states that there are a number of starting and ending points that could be used to measure the driving distance, such as to the Philadelphia airport's international terminal or to various parking lots, and not just to the entrance of the airport property. However, the fact that there are so many different starting and ending points has led the Department to consistently use the 'city center' of the EAS community and the entrance of the nearest large or medium hub airport as the logical measuring points."); DOT Order 2001-9-1, Docket OST-2000-8323 (Sept. 10, 2001).

1022). A waiver issued under this subsection shall remain in effect for a limited period of time, as determined by the Secretary.”

Each petition for waiver must be filed in accordance with 49 CFR § 5.11(b).¹⁵ All petitions for a waiver must be submitted within 30 days of the service date of this Order, with the title “Petition of (EAS community) for a waiver from the 10-enplanement statute and/or \$200 per passenger cap, Docket DOT-OST-(appropriate Docket number from page 1 of this Order),” in order to ensure timely consideration in accordance with 49 CFR § 5.11(b). All petitions must be filed electronically to EAS@dot.gov or by FAX to 202-366-7638. The Department will consider each petition for waiver based upon the individual merits and circumstances of that community. Each petition received by the Department will be made available at <http://www.regulations.gov>.

The Department hereby requires the incumbent carriers to provide EAS at the communities until further notice, which will be included in the Department’s Final Order on this matter. Carriers that fail to continue providing EAS at their respective communities may be referred to the Office of Aviation Enforcement and Proceedings for appropriate handling. This Order does not preclude carriers from starting or continuing air service at these communities without subsidy.

This Order is issued under authority delegated in 49 CFR § 1.25a(b).

ACCORDINGLY,

1. The Department grants waivers to eight communities for Fiscal Year 2015: Bradford and Franklin/Oil City, Pennsylvania; Fort Dodge and Mason City, Iowa; Macon, Georgia; Merced, California; Muscle Shoals, Alabama; and Pueblo, Colorado;
2. The Department finalizes its tentative decisions in Order 2016-5-17 that the 22 communities that had continuous service during Fiscal Year 2015, listed in Appendix C of this Order are no longer eligible Essential Air Service communities;
3. The Department directs all parties interested in filing a petition for a waiver from either the 10-enplanement standard or the Subsidy Cap, or both, to file their petitions within 30 days of the date of service of this Order. Waiver applications should be emailed to EAS@dot.gov or Faxed to 202-366-7638 with the title “Application of (EAS community) for a waiver(s) and Docket-DOT-OST (appropriate Docket number from page 1 of this Order);”
4. If a community does not file a waiver application, the Department will terminate subsidy for Essential Air Service on December 31, 2016, and the air carrier may terminate service on or after that date;
5. If a community files a waiver application, the carrier currently serving the community must continue until further notice while the Department reviews the waiver petition;

¹⁵ Because the Secretary has specific statutory authority to waive both the 10-enplanement and Subsidy Cap requirements, the Department would be exercising its statutory waiver authority through its petition for exemption process set forth in 49 CFR § 5.11.

6. Before terminating service, the air carrier(s) must notify any passengers holding reservations for travel after the suspension date, assist those passengers in making alternate air transportation arrangements, or provide a refund of the ticket price, without penalty, if requested;
7. These dockets will remain open until further Order of the Department; and
8. The Department will serve copies of this Order on the civic officials of all communities listed on Page 1 of this Order and Aerodynamics, Inc., Boutique Air, Inc., Corporate Flight Management, Inc. dba Contour Airlines, Great Lakes Aviation, Ltd., Hyannis Air Service, Inc. d/b/a Cape Air, Mokulele Flight Service, Inc. dba Mokulele Airlines, Multi-Aero, Inc. d/b/a Air Choice One, Peninsula Airways, Inc., SeaPort Airlines, Inc., Silver Airways Corp., SkyWest Airlines, and Southern Airways Express, LLC.

By:

JENNY T. ROSENBERG
Acting Assistant Secretary for
Aviation and International Affairs

(SEAL)

*An electronic version of this document is available
at <http://www.regulations.gov>*

Eight communities that are granted a waiver from eligibility requirements for Fiscal Year 2015

EAS Communities with a service hiatus during Fiscal Year 2015							
EAS community	Service ended	Service resumed or end of FY, if service had not yet resumed	Prorated Service Days	FY15 traffic	Prorated enplanements per day	Actual subsidy paid YE 09/30/15	Prorated subsidy per passenger
Bradford, PA	1-Nov-14	1-Mar-15	210	4,546	10.8	\$1,315,318	\$289
Fort Dodge, IA	1-Oct-14	23-Feb-15	189	6,599	17.5	\$2,140,470	\$324
Franklin/Oil City, PA	1-Nov-14	4-Mar-15	208	1,815	4.4	\$934,506	\$515
Macon, GA	5-Nov-14	30-Sep-15	31	188	3.0	\$193,851	\$1,031
Mason City, IA	1-Oct-14	17-Nov-14	273	11,078	20.3	\$3,268,588	\$295
Merced, CA	31-Jul-15	30-Sep-15	261	3,069	5.9	\$1,918,704	\$625
Muscle Shoals, AL	1-Oct-14	12-Jan-15	225	1,208	2.7	\$605,728	\$501
Pueblo, CO	5-Jun-15	30-Sep-15	213	6,500	15.3	\$1,502,092	\$231

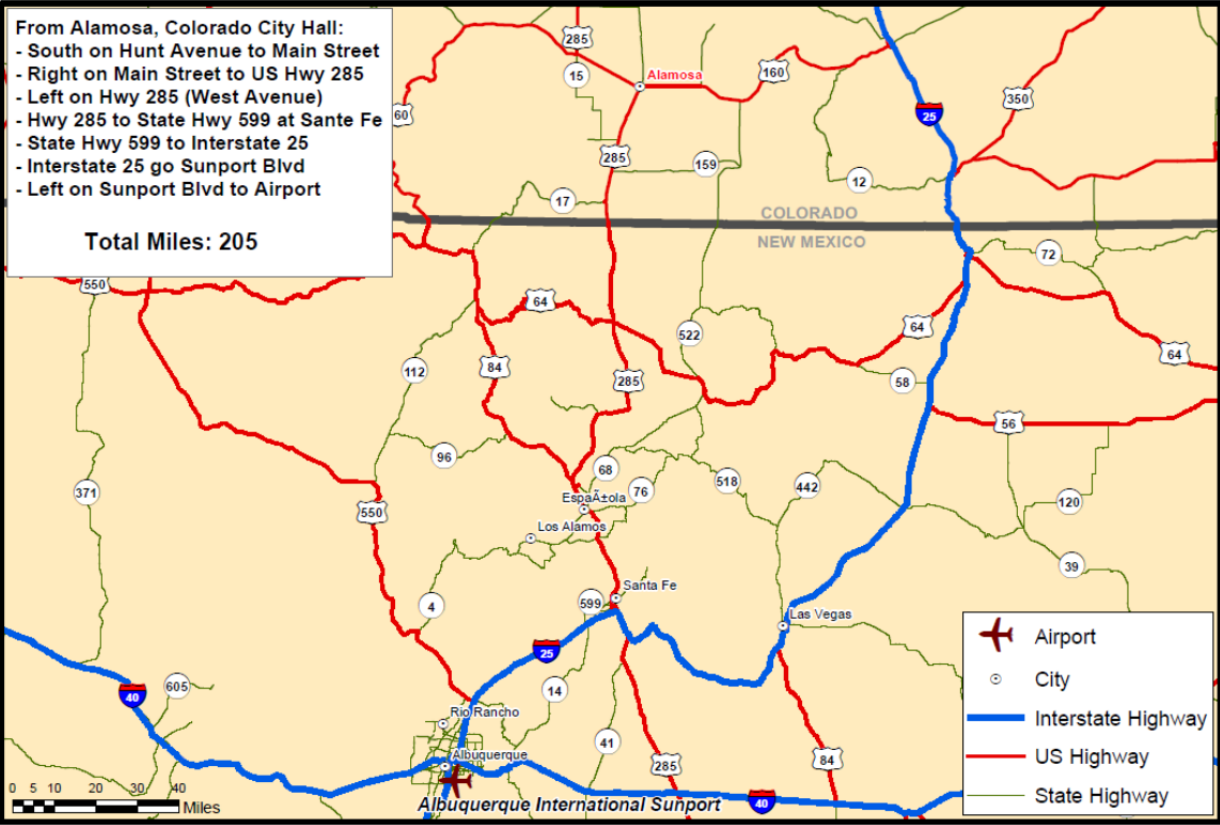
Notes:

Prorated service days are based on 6-day a week service (EAS minimum service requirements).

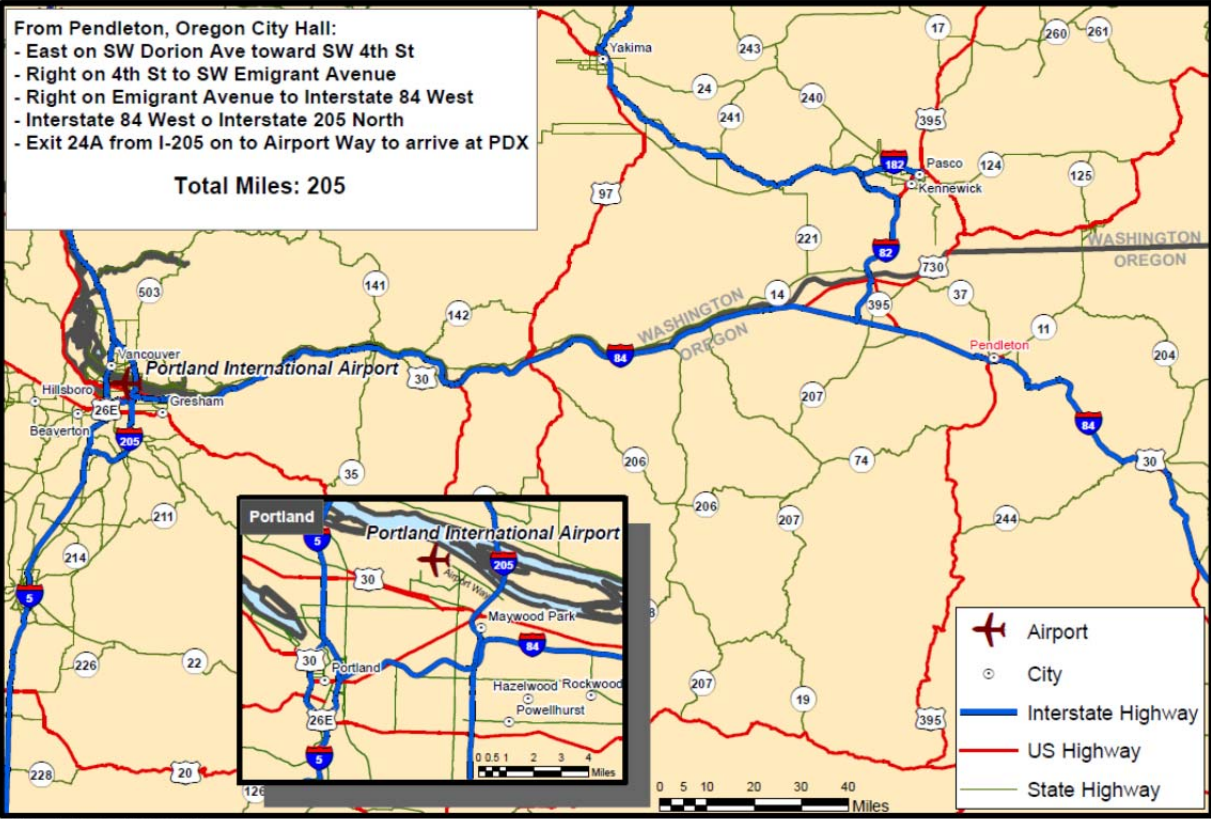
The Department tentatively finds that Macon's subsidy per passenger was \$1,031, based on service that lasted only from October 1, 2014, through November 5, 2014, during Fiscal Year 2015. This exceeds the \$1,000 per passenger cap; however, the Department did not take any action on Macon because the community received service for only five weeks during FY 2015.

EAS Communities determined to have fewer than 10 enplanements per service day in Fiscal Year 2015 (FINAL)				
EAS Community/State	YE 9/30/15 Pax Total	YE 9/30/15 Enplanements/Day	Nearest Large or Medium Hub	Distance to Large/Medium Hub
Altoona, PA	4,568	7.3	IAD	112
El Centro, CA	5,228	8.4	SAN	114
Hagerstown, MD	2,374	3.8	IAD	78
Franklin/Oil City, PA*	1,815	4.4	PIT	85
Jackson, TN	2,427	3.9	BNA	137
Jamestown, NY	3,289	5.3	BUF	76
Lancaster, PA	2,620	4.2	PHL	86
Macon, GA*	188	3.0	ATL	82
Merced, CA*	3,069	5.9	SJC	107
Muscle Shoals, AL*	1,208	2.7	BNA	122
Show Low, AZ	3,508	5.6	PHX	173
Victoria, TX	5,977	9.5	IAH	119

Alamosa, Colorado to Albuquerque International Sunport



Pendleton, Oregon to Portland International Airport



U.S. Department of Transportation
Federal Highway Administration
Office of Planning, Environment, and Realty
Office of Transportation Systems Performance
Geospatial Information Program

Source: ArcGIS 10/National Transportation Atlas Database 2015

Watertown, SD to Minneapolis-St. Paul International Airport

