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February 29, 2008

Attn: Ms. Brenda Mumper
Federal Aviation Administration
Airports Division, ACE-620F
901 Locust
Kansas City, MO 64106-2325

RE: Aeronautical Study No. 2008-ACE-295-OE; New Paseo Bridge

Dear Ms. Mumper,

The Aircraft Owners and Pilots Association (AOPA), representing over 414,000 members nationwide, strongly recommends that the Federal Aviation Administration (FAA) issue a Determination of Hazard to Air Navigation for the proposed 249 feet above ground level (AGL) new Paseo Bridge based on the aeronautical impacts to Charles B. Wheeler Downtown Airport (MKC), Kansas City, Missouri. As proposed, the bridge height exceeds Federal Aviation Regulations, FAR Part 77 Obstruction Standards resulting in the elimination of the Visual Flight Rules (VFR) traffic pattern on the east side of MKC. The impact of moving all VFR traffic pattern operations to the west side of the airport creates new noise and environmental concerns over the Briarcliff community and the potential for adverse effects on flight operations and future airport growth. In addition to issuing a Determination of Hazard, the FAA should direct the Missouri Department of Transportation to prepare a supplemental environmental impact statement to include the effects of the proposed bridge on the airport and surrounding airspace and flight procedures.

Increased Noise Concerns Could Jeopardize Future Airport Viability

During the past year, MKC has received no noise complaints, which could be attributed to the existing pattern operations over industrial areas and rail yards. However, if all VFR pattern operations are shifted to the west side of the airport, traffic will be forced over the Briarcliff residential community resulting in a considerable increase in noise complaints. In an effort to mitigate those noise concerns, the airport may have to take actions that could ultimately impact the future viability of the airport. In accordance with the Federal Aviation Administration's (FAA's) own Airport Improvement Program (AIP), MKC is obligated by grant assurance 19) Operation and Maintenance as well as grant assurance 20) Hazard Removal and Mitigation as follows:

19. Operation and Maintenance:

The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes.

20. Hazard Removal and Mitigation:

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

MKC has nearly \$70 million in airport improvements planned in the coming years to continue to make the airport viable. Operational and economic impacts from the VFR traffic pattern change could put those planned improvements in jeopardy.

In addition, the State of Missouri has been granted "Block Grant" status by the FAA. MoDOT's aviation offices manage federal airport development funding allocated by the FAA. As a part of the agreement with the FAA, MoDOT is required to ensure that all airports funded through the AIP process are in full compliance with the FAA's Grant Obligations and to ensure that corrective actions are taken by airport sponsors should they violate these grant agreements.

The new Paseo Bridge project as proposed would place MoDOT in conflict with FAA as well as putting the highway and aviation divisions within MoDOT at odds with one another. As a result, the operational efficiency and future growth potential at MKC could be jeopardized.

Non-standard Pattern Operations Will Affect Flight Operations

The elimination of standard pattern operations would impact flight operations including pilot training at MKC. Touch and go activities may need to be suspended during periods of high traffic, which would result in increased travel time to neighboring airports at least 12 nautical miles away from MKC. An increase in the travel distance would result in an increase in the time and cost of each flight.

The proposed traffic pattern change could also result in extended downwind and final approaches to the extent allowable by the boundaries of the adjacent Class B airspace. This also may limit the amount of traffic that can be handled during peak traffic periods due to boundaries of the west side only traffic pattern.

Original Environmental Impact Statement Incomplete

In light of the fact that the Final Environmental Impact Statement (EIS) was completed long before the final bridge design was selected, there must be a supplemental EIS to address the impacts of the selected bridge design on the surrounding airspace and aircraft operations at nearby MKC. Based on references within the Final EIS, the Federal Highway Administration and the Missouri Department of Transportation recognized that the design of the bridge could affect the analysis of the environmental impacts. In fact, the Final EIS failed to consider the environmental impacts of a substantially taller bridge located in such close proximity to MKC.

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At a minimum, the FHWA and MoDOT should be instructed to complete a supplemental EIS to include the resultant noise and environmental impacts on the residential and business areas around MKC as well as the impacts on flight operations at this prominent general aviation airport.

AOPA urges the FAA to take all necessary actions to maintain the existing VFR traffic patterns, to ensure the future viability of MKC and to place the burden of mitigation on the proposed obstruction sponsor to lower the height of the proposed Paseo Bridge.

Sincerely,

A handwritten signature in cursive script, appearing to read "Heidi J. Williams", with a long horizontal flourish extending to the right.

Heidi J. Williams
Director
Air Traffic Services