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July 31, 2008

Ms. Linda DeVine
EIS Project Manager
HQ ACC/A7PP
129 Andrews Street, Room 317
Langley AFB, VA 23665-2769

RE: Powder River Training Complex Environmental Impact Statement

Dear Ms. DeVine,

The Aircraft Owners and Pilots Association (AOPA), on behalf of over 414,000 pilots nationwide, including more than 6,700 in the states of Montana, Wyoming, North Dakota, and South Dakota opposes the proposed Powder River Training Complex. With this letter, AOPA submits the following recommendations with regard to the Environmental Impact Statement (EIS) that will be conducted to determine the full impact of the United States Air Force's (USAF) proposed expansion of the Powder River Training Complex (PRTC)

Environmental Study Must Include Airspace

In accordance with the ruling by the United States Fifth Circuit Court of Appeals (No. 02-60288), any environmental studies conducted under the National Environmental Policy Act (NEPA) must include discussion regarding the full impact to civil and commercial aviation. The ruling states "*Civil and Commercial aviation are part of the modern human environment broadly defined, and because the [airspace] would impact aviation, NEPA required the Air Force to address that impact in the EIS*". AOPA expects the Air Force to take into consideration all aspects of these impacts including the safety and economic impacts.

AOPA Has Concerns about Safety of Other Aircraft and Non-Flying Public

Because of the sheer size of the proposed Military Operations Areas (MOAs), AOPA contends that civilian pilots operating under Visual Flight Rules (VFR) will be more likely to penetrate the boundaries to either transition the area, or access one of the underlying airports. Local ranchers and farmers use small aircraft at low altitudes on a daily basis for livestock inventory and land surveying. AOPA understands through discussion with local members that there is a lack of reliable surveillance radar and radio communications at low altitudes in the area the proposed MOA would exist. The combination of these limitations and low level, high speed USAF Bomber aircraft exponentially increases the risk of a mid-air collision of two aircraft. The USAF must take into consideration these increased risks, and fully disclose them in the EIS.

Because the proposed airspace will be accessible to non-participating VFR aircraft, there are increased risks associated with the release of chaff and flares that the USAF may not have identified. Because the flares burn in excess of 2000 degrees Fahrenheit, and for at least 500 feet vertically, there is a risk of the flare embers coming into contact with non-participating aircraft.

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With the failure rate of these flares at 1%, there is also a potential for an un-ignited flare (dud) to come into contact with a non-participating aircraft while in flight. The damage that would result from such contact would range from minor to disastrous, and could potentially cost many dollars, but more importantly lives. The USAF must identify these risks and disclose them in the EIS.

The use of live chaff within the proposed MOA poses a similar risk. By design, chaff must form a cloud of metallic fibers at least 30 meters in diameter. The risks to non-participating civil aircraft unknowingly flying through one of these clouds includes, but are not limited to: in-flight windscreen blanketing, engine foreign object damage (FOD), turbine FOD, propeller FOD, aircraft environmental system contamination, and possible navigation and communication equipment interference. The USAF must identify these increased risks and disclose them in the EIS.

Proposal Would Have Economic Consequences to Local and Transient Aircraft

As the United States Fifth Court of Appeals pointed out, Civil and Commercial aviation are part of the modern human environment. AOPA contends that this statement fundamentally extends to the economic environment of civil and commercial aviation.

An AOPA survey of members indicated that 64% of pilots deviate around charted Special Use Airspace (SUA), regardless of its status. AOPA understands that at least two of the four proposed MOAs in this proposal will be activated daily. While VFR non-participating aircraft are not forbidden from entering an active MOA, AOPA recommends to its members to avoid them whenever possible, a recommendation the USAF echoes. With a SUA complex of this size, the cost for a small or medium civil aircraft to route around the SUA in lieu of flying through can quickly become prohibitive. This can have severe economic consequences on not only the General Aviation (GA) industry as a whole, but would also spread to other segments of the economy. Life Flight helicopters, small charter companies, freight companies, flight schools, as well as small and medium businesses that own and operate aircraft would all be impacted by an increase in the cost of operation. The USAF must identify these impacts, provide quantifiable data, and disclose them in the EIS.

Proposal Creates Negative Economic Consequences to Underlying Airports

While the USAF is required to give public use airports that underlie the MOA a 3 nautical mile (nm) radius and 1,500 foot exclusion area, this does not allow for aircraft to ingress and egress the airport safely. Nor does this give any safety margin to the many private use airports that would be impacted. The proposed 500 foot floor of the MOA does not allow for a safe buffer for civil aircraft. This will cause transient aircraft to avoid the area when they would otherwise land and use the services of the airports and surrounding communities. Fuel sales, overnight parking, rental cars, local hotels, and area restaurants are only a few examples of the total potential revenue that would be lost.

Flight schools and Fixed Based Operators (FBOs) that reside under the proposed MOA would also suffer significant economic hardships. Pilots would be less likely to rent aircraft from and aircraft owners would be less inclined to base their aircraft at an airport that underlies the proposed MOA.

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Many on-airport businesses rely on this type of consistent revenue stream to maintain employees and safe airport environments.

Aircraft used in flight training would have to fly more than 50 nm through the active MOA in order to clear the SUA and safely execute training. That 50 nm represents at least an hour of additional flight time and hundreds of dollars they will pass on to customers which will multiply the cost of flight training at those airports. This will eventually drive customers away and make it impossible to stay in business.

The onus is on the USAF to conduct a full economic analysis as part of this EIS to quantify to the public and local, state, and federal elected officials the full impact this proposed SUA will have. AOPA contends that without this analysis, the EIS is incomplete and invalid.

EIS Should Have Impact Matrix

AOPA recommends the Air Force include an Adverse Impact Matrix in the EIS and ensure it is contained within the Executive Summary at the beginning of the document. This allows users and interested parties to understand the full effect of each alternative and its associated impacts.

If AOPA can be of any assistance, do not hesitate to contact me at 301.695.2207

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Lehmann', with a long horizontal line extending to the right.

Pete Lehmann
Manager
Air Traffic Services