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March 1, 2010

Mr. Doug Allbright
HQ AMC/A7PI
507 Symington Drive
Scott AFB, Illinois 62225-5022

Re: Draft Environmental Impact Statement (DEIS) for the BRAC Beddown and Flight Operations of Remotely Piloted Aircraft (RPA), Grand Forks Air Force Base

Dear Mr. Allbright:

On behalf of more than 415,000 members nationwide, the Aircraft Owners and Pilots Association (AOPA) has reviewed the DEIS for the BRAC beddown and flight operations of RPA's at Grand Forks Air Force Base (AFB). Based on the Instrument Flight Rules (IFR) and Visual Flight Rules (VFR) impacts associated with the proposed restricted areas, AOPA strongly encourages the United States Air Force (USAF) to work collaboratively with the user community to develop an alternative strategy that allows for RPA training without creating additional restricted airspace.

Proposal Has Economic Consequences for VFR and IFR 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. Based on the DEIS, the restricted areas would be activated on a daily basis and assuming the majority of users are forced to circumnavigate the vast expanse of SUA, 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 industry as a whole, but will have obvious impacts on other segments of the economy as evidenced by the impact on multiple Victor Airways and routes impacted by the proposed restricted areas. Airline operations, 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.

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Proposal Creates Negative Economic Consequences to Underlying Airports

While the USAF has segmented the altitudes of the proposed restricted areas, there are existing Military Operations Areas (MOAs) underlying the proposed restricted airspace that extends in some areas to 300 feet above ground level that will continue to be activated when the proposed restricted areas are active. 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 ingress and egress to an airport safely, nor does this give any safety margin to the many private use airports that would be impacted. The 300 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 economic impact these underlying airports would experience.

Based on the fact that MOAs were designed to segregate aircraft operating under IFR from military operations, aircraft would not have the option to use the underlying airports. In light of the proposed usage times, this would essentially shut down the underlying airports to IFR traffic, and have major economic consequences.

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 and aircraft owners would be less inclined to base their aircraft at an airport that underlies the proposed MOA. Many on-airport businesses rely on this type of consistent revenue stream to maintain employees and safe airport environments.

It has always been the USAF's policy to recommend civil aircraft avoid MOAs when they are active. In order to comply with these recommendations, 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 thousands of dollars that will be passed onto to customers which will multiply the cost of flight training at those airports. At a time when our economy is already struggling to rebound, economic impacts that ultimately lead to loss of jobs and revenue must be avoided and alternatives must be created that benefit all users without negative impacts.

Restricted Airspace Not Acceptable as "See and Avoid" mitigation

According to the DEIS, the USAF indicates the reason for additional restricted airspace is due to the FAA requirement for RPA's to "see and avoid" all other aircraft. Based on the Aeronautical Information Manual's definition of Restricted Airspace, restricted areas denote the existence of unusual, often invisible, hazards to aircraft such as artillery firing, aerial gunnery, or guided missiles. AOPA would question the USAF's intent to define RPA activities as hazardous

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operations. Unless RPA operations are to be classified as “hazardous operations,” it does not appear that restricted airspace is an acceptable work around until “sense and avoid” standards are established. Further, it appears the establishment of restricted airspace is contrary to the process of issuing Certificate of Authorization or Waivers that currently allow RPA operations in the national airspace.

Collaboration Instead of Additional Restricted Airspace

Through the efforts of RTCA Special Committee 203 (SC203), the Department of Defense, the Federal Aviation Administration and the user community are working to develop recommendations for the integration of RPA operations in national airspace. While recognizing the USAF need for RPA training, it seems counter-productive to move forward with precedent setting rulemaking to establish restricted airspace specifically for RPA training operations.

Instead, AOPA would offer that a collaborative user community effort is needed to assist the USAF in formulating alternative options to restricted airspace that will allow RPA operations to occur with minimal impact on civil operations. Based on the efforts to date through SC203, RTCA may be an appropriate outlet to engage the aviation community in collaborative dialogue that leads to airspace alternatives that are mutually agreeable among all airspace users.

AOPA understands the value of RPA’s and the military’s need to train as they fight. However, we all must recognize the importance of being good stewards of the finite airspace resource over North Dakota and nationally. It is imperative that we work together to identify solutions and alternatives that allow both the military and civilian communities to move forward with the safe integration of new technologies into the current airspace structure. To that end, the USAF should explore options that allow RPA operations from Grand Forks using a safe and suitable solution to share the airspace with existing users without segregation.

We appreciate the opportunity to provide input to the USAF and strongly encourage the military to work with the aviation community to explore options for integration of RPA into the national airspace instead of pressing forward with the establishment of additional restricted airspace in North Dakota.

Sincerely,



Heidi J. Williams

Senior Director

Airspace and Modernization