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The Honorable Frank Kendall III
Secretary of the Air Force
Department of the Air Force
1670 Air Force Pentagon
Washington, DC 20330-1670

September 30, 2024

Dear Secretary Kendall,

I write to express my concerns with the proposed actions detailed in the Draft Environmental Impact Statement (DEIS) for the Regional Special Use Airspace Optimization to Support Air Force Missions in Arizona.¹ The proposed action favored by the Department of the Air Force (DAF), which would allow increased frequency of low-altitude and supersonic operations as well as flares and chaff across all Military Operations Areas (MOAs), presents significant concerns for constituents in my Congressional district. Many of these concerns were communicated in a previous letter to DAF during the scoping period of May 2022, which received no response.² In light of these concerns, I request that the DAF grant a 60-day extension to the public comment period.

Furthermore, I am concerned about the lack of transparency regarding ongoing DAF activities in the MOAs and inadequate community consultation for the DEIS. Constituents across southern Arizona and New Mexico have reported hundreds of nuisance flight incidents in violation of Federal Aviation Administration regulations underneath and near the MOAs, causing significant disturbances and a variety of health and wellness impacts. Despite containing a significant portion of the Tombstone MOA, the only MOA with a proposed expansion and a doubling of annual sorties under DAF's preferred action, to date there have been no public hearings scheduled in Cochise County.³ In addition, to date there have been no public hearings scheduled on Tribal lands, despite ongoing impacts to Tribal communities. As of this writing, DAF has failed to respond to Freedom of Information Act (FOIA) requests by outside groups such as the Center for Biological Diversity, as well as hundreds of nuisance flight reports. 6,667 public comments from the scoping period have remained internal to the DAF.

Stakeholders have raised numerous concerns about the DAF's proposed action, mentioned in both Rep. Grijalva's 2022 scoping period letter and at community meetings across Arizona and New Mexico. The lowering of flight floors across Tombstone, Outlaw, Jackal, Gladden and Bagdad MOAs presents significant quality of life issues for constituents already dealing with noise disturbance in their daily lives. Supersonic operations at lower altitudes exacerbate this, with added concerns for wildlife impacts,

¹ https://www.arizonaregionalairspaceeis.com/media/5zuprqlw/public-draft-eis_main-document.pdf

² <https://grijalva.house.gov/wp-content/uploads/2022/05/Airforce-EIS-Final-Letter-05.16.22.pdf>

³ <https://www.arizonaregionalairspaceeis.com/attend-a-meeting/>

structural and property damage, and impacts on local tourism in natural areas. As noted in Appendix D of the DEIS, several tribes raised concerns around issues such as extended flight hours (Tohono O'odham) and fire risk (San Carlos Apache).

The environmental impacts of the proposed action pose risks to millions of protected federal and tribal lands. As the DEIS states, each MOA contains wilderness areas managed by US Fish and Wildlife Service, United States Forest Service, National Park Service, or Bureau of Land Management, each home to a unique and diverse array of flora and fauna. DAF's insistence that the proposed action is 'compatible' with land uses beneath the MOAs despite "reportable" noise increases, potential disturbance to wildlife and domestic animals anticipated, and nuisance flights reported under the status quo, is inconsistent with the views of local communities and some tribes.

As you move forward with the DEIS process, I request your timely response to the following questions:

1. How were the public hearing sites selected? Why were no public hearings scheduled in Cochise County or on tribal lands, areas directly affected by this proposal?
2. Why is Cochise County receiving a disproportionately high increase in training flights?
3. Why were many of the substantive comments made during scoping not addressed, nor released to the public outside of the Appendix D summaries?
4. How has DAF responded to the ongoing nuisance flight reports emerging from communities within the MOAs since the scoping period?
5. Why was outdated research, including 2013 and 2018 studies, used to dismiss the relationship between long-term aircraft noise exposure and public health impacts?
6. Why was the risk to dozens of endangered and threatened species, especially those with critical habitats below the MOAs dismissed, despite compelling evidence to the contrary?
7. Why were economic effects, particularly the harm to the tourism industry and the reduction of property values dismissed, despite compelling evidence to the contrary?
8. Why was expanding training at the Barry M Goldwater Range not detailed as an action alternative? Why are additional weekend or night hours at BMGR thought to be unfeasible when flights are currently being done in the MOAs on weekends?
9. What is the anticipated impact of the Air Force Special Operations Command proposal, including A-10 divestment, for Davis-Monthan Air Force Base on this DEIS? Why was this not analyzed in the DEIS?

I thank you for your attention to the matters outlined above, and trust that you will give full consideration to the needs and wellbeing of the Arizonan, New Mexican, and tribal communities directly affected by use of this airspace.

Sincerely,



Raúl M. Grijalva
Member of Congress