



May 31, 2019

Clear EIS
C/o HDR Inc.
2525C Street, Suite 500
Anchorage, AK 99503

RE: Missile Defense Agency Notice of Intent to Prepare an Environmental Impact Statement for the Long Range Discrimination Radar at Clear Air Force Station, AK

To Whom It May Concern:

On behalf of the many general aviation and business aviation companies and operators, and the hundreds of thousands of pilots our organizations represent, we are writing today to express our collective concerns about the Missile Defense Agency's proposed expansion of Restricted Area R-2206. We appreciate the importance of the new Long Range Discrimination Radar (LRDR) system to our country's national security. A change in airspace of the magnitude being proposed; however, requires a transparent process and careful evaluation of alternatives and mitigations. We are concerned that the Missile Defense Agency is not being transparent and open in communications regarding the adverse impact the LRDR will have on civil aviation. This is evidenced by the lack of sincerity when requesting public comments as the construction is already underway.

We understand the National Defense Authorization Act for Fiscal Year 2014 directed the Missile Defense Agency to deploy an LRDR at "a location optimized to support the defense of the homeland of the United States." Following site selection of Clear Air Force Station, AK, an Environmental Assessment was completed in 2016 that noted a Finding of No Significant Impact. This determination was based on the incorrect assumption that the new LRDR would have no impact on civil aviation. Per the Missile Defense Agency, "there would be no reduction in the amount of navigable airspace, and thus no impacts by LRDR to the controlled and uncontrolled airspace surrounding CAFS." We now know that is not the case. These impacts would dramatically increase the lateral and vertical dimensions of restricted airspace over a heavily used, major aviation corridor in Alaska, and potentially place pilots and passengers at risk.

In 2018, the Missile Defense Agency awarded the contract and began construction of the LRDR, despite the knowledge that the system being built was not the system studied under the National Environmental Policy Act (NEPA). We are aware the Missile Defense Agency intends to begin testing of the LRDR in early 2020, which would create an immediate effect on civil aviation when flight restrictions are needed. As the Missile Defense Agency is already underway with construction based on an inaccurate NEPA study, and their intention is to operate the system as soon as construction is complete, possibly with a Temporary Flight Restriction, we question if the safety concerns of the Alaska aviation industry are genuinely being considered and whether the spirit of NEPA is being complied with.

Fundamentally, the scoping process allows the proponent and the public to discuss the impact and alternatives of a proposed action prior to development of an Environmental Impact Statement (EIS). Although the notice of intent for preparation of the EIS was published, there has been a complete lack of information available about the extent of the airspace changes until less than a week before the public meetings are scheduled. With last-minute articulation of the new airspace's dimensions, we are not able to provide the community with adequate information, which typically results in poorly attended public meetings. Adequate information, including graphical depictions provided in a timely manner would inform stakeholders of the extent of the effect on aviation, and would allow for thoughtful responses and comprehensive feedback. Again, we question the Missile Defense Agency's interest in a transparent and public-focused process if they have this information and choose not to provide it.

Based on previous conversations with the Missile Defense Agency, we know the current spectrum analysis indicates a Restricted Area would be required to protect the flying public from harmful emissions. The new Restricted Area would threaten existing airways, which are the primary flight path between the two most populous cities in the state, and the utility of Clear Airport (PACL). Medical evacuation, firefighting, and glider operations would be negatively affected. The use of PACL as a safe diversion to wait out poor weather or an emergency landing area for those traveling through Windy Pass will also be curtailed. The investment of tens of thousands of taxpayer dollars spent on PACL would be negated if the airport's utility was diminished. Thousands of civil aviation flights would be negatively affected, forcing pilots to fly closer to terrain in a hazardous environment and risk exposure to harmful emissions. Flight time would also be added to routes to avoid the expanded Restricted Area, which adds expense to operators. Allowing the expanded Restricted Area itself would require waivers to Federal Aviation Administration (FAA) aeronautical and environmental policies put in place to ensure civil aviation has safe access to the National Airspace System.

In conclusion, we respectfully request the Missile Defense Agency sincerely commit to working with civil aviation in good faith to ensure the adverse impacts of the new LRDR are mitigated. We do not believe the process can be open and honest if the process is subverted by requests to the FAA to put Temporary Flight Restrictions in place. Discussions to do so circumvent NEPA and the purpose of public comment, and do not indicate a willingness to conduct a transparent process and communicate with the public and with stakeholders in good faith. Finally, a graphical depiction must be publicly provided in a timelier fashion so the public can see what the expanded Restricted Area would look like and then have an opportunity to submit informed comments.

We appreciate the opportunity to provide these early comments and to offer our commitment to assist with the outreach effort; however, we believe it is incumbent on the proponent to be transparent, to communicate in a timely manner, and to provide the public with substantive information.

Sincerely,

Air Medical Operators Association
Aircraft Owners and Pilots Association
Alaska Airmen Association
Alaskan Aviation Safety Foundation
Experimental Aircraft Association
Helicopter Association International
National Air Transportation Association

CC: Mr. Rodger Dean, Manager, Airspace Policy Group, FAA
Mr. Shawn Kozica, Manager, Operations Support Group, FAA