



# Madrean Archipelago Wildlife Center

141 Page Lane • Elgin, Arizona • 85611

(520) 975-8107 • MadreanWildlife@gmail.com

The Honorable Mark Kelly  
100 North Stone Avenue Suite 600  
Tucson, AZ 85701

October 9, 2024

Re: U.S. Air Force Proposal to Expand  
Low Elevation Supersonic and Combat Training Corridor

Dear Senator Kelly,

We are writing today to express our shock and disbelief at the United States Air Force (USAF) proposal to fly subsonic and supersonic training sorties over southeastern Arizona. We urge you to conduct an investigation of the USAF Draft Environmental Impact Statement (DEIS). Your constituency is speaking out vehemently and in great numbers in opposition to this proposal.

We testified virtually at the Sept 5th hearing. The concerns and fears of everyone were expressed honestly and factually. The callous oversight of the USAF has caught us all by surprise. At the virtual hearings, no individual or organization was supportive of this proposal. Not one.

The DEIS airspace encompasses 140 "Endangered Species Act" (ESA)-Listed plant and animal species, 1,234,543 acres of designated wilderness, and 1,956,010 acres of critical habitat designations.

Unacceptable: Moving hundreds of hazardous flights from the large, unpopulated, federally-controlled Barry M. Goldwater Range to the smaller, heavily-populated Tombstone Military Operational Area (MOA) with its highly sensitive economic and biological components.

Unacceptable: Release of 7,000 bundles of chaff annually, dropping it as low as 2000 feet above ground level (AGL).

Unacceptable: 30,000 flare releases annually and dropping from 2000 feet AGL.

Unacceptable: Training flights as low as 100 feet AGL.

We contend that the basic tenets of decency and justice are not being adhered to by the USAF as follows:

1. Protection of The American People - Should not the American people's health and welfare be the USAF's first priority? Would you agree Senator Kelly that this is a reasonable assumption? Exposing us to supersonic strafing, decibel "bombshells," toxic chaff and incendiary flares, will challenge us mentally, physically and spiritually.



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## 2. Rule of Law

- A. Public hearings have not been scheduled on tribal lands.
- B. There will be violations of the Wilderness Act of 1964.
- C. NEPA has not been followed, (40 C.F.R. § (e): “Agencies must use the National Environmental Policy Act (NEPA) process to identify and assess reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment.”
- D. The Air Force has violated the Federal Aviation Administration’s (FAA) minimum safe altitudes. (14 CFR § 91.119.(c)): “An altitude of 500 feet above the surface, except over open water or sparsely populated areas. In those cases, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle or structure.”
- E. Violation of OSHA’s safety protocols: “F-16s and F-35s at 5000ft = 200 decibels(db), more than double the OSHA allowable decibels without hearing protection. Hearing loss is caused by 85db or higher according to both Center for Disease Control and the Hearing Center for Excellence.”

3. Violation of Public Trust – No response from the USAF to over 200 nuisance flight reports between March 29, 2023 and October 2, 2024, filed with Davis-Monthan and the Air National Guard within the Tombstone MOA. Are these flights legal?

4. Public Engagement – USAF has failed to schedule a single public hearing in the Tombstone MOA, the area most impacted of the 10 MOA’s.

5. Agency accountability – In Appendix D of the DEIS, the USAF fails to disclose all 6,667 of the scoping comments, as well as substantive comments from governmental agencies and elected officials.

6. Transparency – USAF has refused to share requested Freedom of Information Act (FOIA) documents with the Center for Biological Diversity resulting in litigation. Karen Fasimpaur filed FOIA requests, with the deadline and disposition still pending. USAF has not disclosed any information shared by the National Park Service, the U.S. Forest Service, and AZ Game and Fish Department, (NEPA, 40 C.F.R. § 1501.6, 2020).

Below is a list of the most insulting and ridiculous USAF statements within the DEIS

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(listed as follows). We do not understand how any of these statements could be considered realistic or truthful. It does, however, highlight the need to bring them to your attention. We are asking for an exhaustive investigation.

## USAF Statements In DEIS Which Are Not Acceptable:

- “The increased number of flares proposed does not directly correlate to an increased fire risk.”
- “Because no person or place beneath any of the training airspace associated with this DEIS would be exposed to noise levels greater than 80 dB DNL, noise induced hearing loss is not discussed further in this analysis.”
- “The potential to experience an overflight at 100 feet, which corresponds to the highest single event noise levels for an overflight, is either nil or very low in all MOAs for all alternatives.” [As noted earlier in section 3, this is already happening illegally.]
- “The noise is generally compatible with all land uses.”
- “The possibility of a wildfire from flare usage impacting wildlife habitat would be remote.”
- “The proposed training would not result in a significant adverse impact on any population of a migratory bird species.”
- “While overflights would be audible particularly in quiet locations, all of the noise levels are compatible with all land use types to include residential, public use (i.e., schools), or recreational and entertainment areas.”
- “This experience would not occur with any sort of regularity or be a repetitive situation in any location.”
- “These effects would not cause a visual impact because visual change is temporary.”

## Comments made by participants at the Sept 5, 2024 virtual hearing:

- “You don’t have the right to do what you are proposing to do... As Chiricahua Apache people, we do not give you permission to do this. We oppose it strongly.”
- “What is being planned here is catastrophic, not reasonable, and not acceptable. You cannot ask us to take this...We will hate you.”
- “What threat or perceived threat to our country’s security is so great that we must resort to such a destructive proposal? Why would you dare risk wildfires and toxic aluminum tailings falling indiscriminately from the sky, poisoning the land and water with no regard to the health and protection of the people and wilderness?”



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What do you imagine would be the impact of a supersonic boom on a hummingbird, or the impact of flight patterns on the twenty-thousand plus Sandhill Cranes that arrive in the fall for rejuvenation during their winter migration?"

In closing, we think Air Force pilots should be trained at well-established areas like the Barry Goldwater Range, away from economies dependent on recreation and ecotourism, where folks like us have been settled here for decades, and invested in what we consider to be hallowed ground for its peace and privacy, and proximity to wildlife and protected lands.

We wish to state unequivocally—please—in the name of common decency, urge the USAF to abandon this disastrous proposal. Our region must be protected for the future. The Iroquois had an expression to describe the importance of preserving their environment for their ancestors: the “Seventh Generation Principle.” Think “seven generations” ahead. We believe it best describes our personal reasons for opposing this plan, and should be yours as well.

Respectfully,

Kate Scott & Tony Heath  
Co-founders, Madrean Archipelago Wildlife (MAWC)

cc: Karla Avalos, Southern Arizona Director

