

TOHONO O'ODHAM NATION OFFICE OF THE CHAIRMAN AND VICE CHAIRWOMAN

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Manager, Operations Support Group, AJV-C2
Attn: Jesse Acevedo; Airspace Study: 24-AWP-91-NR
Federal Aviation Administration
10101 Hillwood Parkway
Fort Worth, TX 76177

Via email at 9-natl-csa-public-notice-airspace@faa.gov

Tohono O'odham Nation Comments on Airspace Study 24-AWP-91-NR, Arizona RSOP proposal

The Tohono O'odham Nation (Nation) submits the following comments on the U.S. Department of the Air Force's (USAF) proposal to modify Special Use Airspace (SUA) around Arizona and New Mexico, as described in the FAA's July 31, 2025 public notice (Airspace Study 24-AWP-91-NR). The Nation is a federally recognized Indian Tribe with more than 36,000 members and tribal lands spanning more than 2.8 million acres across Southern Arizona. The proposed SUA modifications would directly and disproportionately impact the Nation, as the Sells 1 and Ruby 1 Military Operation Areas (MOAs) are above the Nation's reservation lands, and the Fuzzy MOA is immediately adjacent to them. The proposal's changes effectively authorize the continued transformation of our reservation airspace into a military training ground from 6:00 a.m. to midnight five days a week, exposing our community to increased military overflight activity. This increased usage threatens the tranquility of our community and the health and safety of our people, wildlife, livestock, and cultural resources. The FAA has a responsibility to ensure that airspace modifications meet all safety, regulatory, and operational standards. We urge the FAA, in its role as decision-maker on this proposal, to rigorously evaluate whether the proposal's stated benefits truly outweigh its substantial harms to our community. In particular, the FAA must scrutinize the USAF's justification and ensure that mitigation measures are in place to minimize risks to our community.

As described below, the Nation is concerned that the USAF has not provided adequate support for the necessity of these airspace changes nor fully analyzed reasonable alternatives. Furthermore, the proposed expansion of military activities—including increased sorties, extended hours of operation, and greater use of chaff and flares—will have negative impacts on our community's health, our wildlife, livestock, and our way of life.

The USAF has not provided reasonable support for its claims that the SUA modification is necessary, nor fully analyzed reasonable alternatives.

The USAF has not demonstrated a compelling need for the proposed SUA modifications, especially in light of foreseeable changes in operations and available alternatives. As the FAA's Notice summarizes, the USAF is asserting that current MOA configurations do not provide adequate altitude flexibility, terrain variety, or realistic training capability. However, the USAF has failed to provide any reasonable support for these claims of necessity. Notably, the USAF's own Draft Environmental Impact Statement (DEIS) acknowledged that A-10 pilot training accounts for nearly 30% of current flight training operations in the region. The A-10 is slated for full retirement in October 2026 as part of the beddown of the 492nd Special Operations Wing at Davis-Monthan Air Force Base. The proposal has failed to explain how the elimination of A-10 training will affect (and potentially reduce) the need for expanded airspace and times of use. If retiring the A-10 fleet will decrease the volume of low-altitude sorties across the affected MOAs, it is unclear why expanding the USAF's use of airspace over our community (and other rural communities across Southern Arizona and New Mexico) is necessary.

Moreover, the USAF did not fully analyze reasonable alternatives that could meet their training needs with far less impact on the communities that lie below the affected MOAs. One such alternative would be to maximize use of the existing Barry M. Goldwater Range (BMGR) by expanding training operations into weekends or utilizing under-used portions of the range. The USAF DEIS indicates that the USAF dismissed the option of weekend training at BMGR East due to vague references to cost and personnel scheduling issues, even though similar training already occurs on weekends on a limited basis. It remains unclear why the USAF cannot schedule required personnel for weekend operations if doing so would eliminate the need to expand usage of airspace over tribal and rural communities. Additionally, the USAF omitted a detailed analysis of using BMGR West, which is managed by the U.S. Marine Corps, despite the requirement under NEPA to consider reasonable alternatives outside the Department's direct jurisdiction. By summarily eliminating these alternatives, the USAF eliminated the possibility of achieving its training objectives without increasing the number of sorties and expanding the time of use in the Sells MOA over our reservation. The Nation urges the FAA to carefully consider these omissions as part of its independent review. These factors could significantly reduce or eliminate the need for modifying the Sells, Ruby, Fuzzy, and other MOAs, and they should be rigorously analyzed before any decision to approve the USAF proposal.

Increasing Sortie Frequency and Expanding Times of Use Endangers Community Health on the Nation.

The USAF's proposal will likely result in an intensification of military overflight activity over our tribal lands, posing serious concerns for the health and well-being of our community members. The FAA's Notice acknowledges that the USAF is projecting an average increase of approximately 10% in annual sortie activity within individual MOAs, including Sells 1 MOA. While the USAF has stated that this 10% increase is meant to "conservatively account for annual variability" and should not be read as a net increase in total sorties regionally, the Nation is deeply concerned that this projection nonetheless sets a precedent for incremental growth in overflights in our community. We have already experienced a steady increase in military overflights and noise since the Sells MOA was originally established, and any further increase will only intensify the harmful impacts our community is forced to endure. Noise pollution from low-flying jets and particularly from sonic booms has been a persistent disturbance across the Nation for decades, and it has only worsened as

training activities have expanded. The disturbances from overflights is significant and experienced throughout our tribal lands—by families in their homes, children in schools, tribal employees in their workplaces, and even, as was reported to the USAF in 2022, during our most significant cultural and religious ceremonies like our coming-of-age ceremony. These intrusions are stressors that impact public health and the quality of life on the Nation.

The USAF's environmental analysis largely failed to address the public health consequences of increased noise on our community. A growing body of epidemiological research links environmental noise (especially aircraft noise and sonic booms) to serious health issues, including in rural and tribal communities. Chronic exposure to loud aircraft noise is known to disrupt sleep patterns, elevate stress hormone levels, and increase risks of hypertension, heart attacks, and stroke. These findings apply to noise levels well below those of a typical sonic boom, meaning even subsonic military jet noise can have harmful effects. This is especially concerning given the proposal includes formalizing expanding hours of use from 6:00 a.m. to midnight. Yet the USAF proposal relied on outdated noise assessment metrics and summarily dismissed many of these health studies, failing to provide a thorough assessment of potential health impacts from either the extended hours of operation or the higher frequency of sorties. The FAA must ensure that the cumulative health impacts of expanded military training, including stress and hearing-related effects on our residents, are fully considered in the decision-making. The protection of public health is a fundamental component of the FAA's mandate when evaluating changes to airspace usage.

Increasing Sortie Frequency and Chaff Deployment Endanger Wildlife and Livestock on the Nation's Lands.

Our reservation lands encompass vast stretches of pristine Sonoran Desert, home to numerous wildlife species (including threatened and endangered species) and also sustain traditional tribal ranching activities. Tribal members have repeatedly raised concerns that low-altitude military flights and sonic booms have negative impacts on wildlife and livestock, yet the USAF's proposal minimizes these concerns.

Scientific research has indicated that even moderate noise levels can disturb wildlife behavior, alter predator-prey dynamics and habitat use, cause sensitive species to abandon otherwise suitable habitat, and degrade entire ecosystems over time. The USAF DEIS acknowledged that military aircraft can produce peak noise levels of about 131dB during low-altitude flights, a level at which serious impacts on animals would be expected. However, the USAF's DEIS downplayed these implications and provided no meaningful evaluation of how more frequent overflights might impact the wildlife populations under the MOAs. The lack of a rigorous wildlife impact assessment is especially concerning given that the Sells MOA overlies habitat for species of cultural and ecological importance to the Nation.

Moreover, the Nation is troubled by the USAF's cursory treatment of the proposal's impacts to tribal ranching and livestock. Many Tohono O'odham families maintain cattle, horses, and other livestock on our lands, an economic and cultural practice that is integral to our community. Loud overflights and sonic booms are known to startle livestock, causing panic, stampedes, or injuries to the animals and anyone tending them. The USAF DEIS notes that noise from military aircraft might startle animals but concludes, without basis, that such disturbances would not significantly affect ranching operations. This dismissal overlooks eyewitness testimony tribal members have provided of

their livestock experiencing panic and stampeding, causing damage to ranch facilities, as a result of low-altitude flights and sonic booms.

Additionally, the Nation is deeply concerned about the dangers posed by an increase in chaff dispersion over our lands. The proposal's increase in chaff deployment means more aluminum-coated fibers raining down onto our land, vegetation, wildlife, and ranches. These materials can accumulate and potentially affect soil and water over time and may be ingested by wildlife or livestock. Additionally, concerns have been raised about "forever chemicals" like PFAS being present in chaff that have not been adequately addressed or answered by the USAF. The Nation is concerned that livestock grazing in areas below the MOAs may ingest chaff or be otherwise harmed by falling debris. The cumulative impact of years of chaff dispersing over our lands, including chaff's harm to wildlife and livestock, has not been adequately studied or addressed by the USAF, and the FAA must consider the danger posed by increased chaff deployment in the affected MOAs.

Increasing Flare Usage Increases the Risk of Wildfire on the Nation's Lands

The Nation is also extremely concerned about the heightened wildfire risk that would accompany the proposal's increased use of flares in the Sells 1 and other MOAs. In addition, the proposal lowers the minimum permitted release altitude for flares from 5,000 feet AGL to 2,000 feet AGL in five of the MOAs (though not in the Sells 1, Ruby, or Fuzzy MOAs). Flares ejected in greater numbers and at lower altitudes pose a clear danger: they can ignite dry surface vegetation, especially in our arid desert landscape that is increasingly prone to drought. The Nation has recently been impacted by human-caused wildfires, including fires in and around critical areas like our sacred Baboquivari Peak and Kitt Peak. Although the USAF DEIS mentioned the risk of igniting surface material from flares, it failed to fully account for the heightened wildfire threat exacerbated by regional drought and climate change across Southern Arizona, including on the Nation. Evidence from other jurisdictions indicates that military flare exercises have caused wildfires in the past (for example, fires on other tribal lands and public lands ignited by training flares have been documented), but the USAF did not address these instances in its DEIS. If the FAA were to approve the SUA modifications, it should impose stringent restrictions and real-time monitoring on flare use (especially during high fire-risk conditions) and require the USAF to implement robust emergency response plans.

More Frequent Sonic Booms Increases the Risk of Structural Damage to Traditional Homes

The Nation is also deeply concerned about the impacts of increased sonic booms on the housing within our community. Many tribal members live in traditionally constructed adobe or mud homes that are particularly vulnerable to the noise and vibration from overflights. Many of these homes are old, structurally compromised, and already in fragile condition due to severe housing shortages and limited resources for repairs. They are more susceptible to cracking, shifting, and other structural damage that can result from repeated shock.

The USAF's DEIS briefly acknowledged that sonic booms can cause structural damage but failed to meaningfully analyze the specific risks to adobe and other traditional homes located under the Sells MOA. The FAA must ensure that the analysis of potential increases in sonic booms in the Sells MOA accounts for traditional adobe and mud homes and require mitigation measures that protect these structures from damage.

Conclusion

For the reasons outlined above, the Tohono O'odham Nation urges the FAA not to approve the USAF's Special Use Airspace optimization proposal unless the serious deficiencies are addressed and our concerns are meaningfully mitigated. The proposed SUA modifications, as currently presented, would have significant and disproportionate impacts on our people, our wildlife, our livestock, our land, homes, and our traditional way of life. We ask that the FAA fully consider these comments in its aeronautical study before making a determination on the proposal.

If you require additional information and/or to arrange for tribal consultation, please contact the Nation's Attorney General, Howard Shanker, at howard.shanker@tonation-nsn.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Verlon Jose', written in a cursive style.

Verlon Jose, Chairman
Tohono O'odham Nation