PROPOSED EXPANSION OF GERMAN AIR FORCE OPERATIONS AT HOLLOMAN AFB, NEW MEXICO

FINAL ENVIRONMENTAL IMPACT STATEMENT

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VOLUME II: PUBLIC HEARING TRANSCRIPTS AND RESPONSES TO COMMENTS

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UNITED STATES AIR FORCE

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PREFACE

The U.S. Air Force is proposing to locate an additional 30 German aircraft at Holloman Air Force Base (AFB). In addition to the beddown of the 30 aircraft, the proposed action would include the location of 640 additional personnel and construction of associated support facilities. In order to meet the air-to-ground training needs of the German aircrews, three training options are being considered, as well as a No-Action alternative:

- Constructing a new target complex (NTC) in the west portion of Otero Mesa on McGregor Range.
- Constructing an NTC in the Tularosa Basin portion of McGregor Range.
- Using the existing ranges and target complexes on White Sands Missile Range and Melrose Range.

The Draft Environmental Impact Statement (DEIS), *Proposed Expansion of German Air Force Operations, Holloman AFB, New Mexico*, was published and distributed for review on June 13, 1997. The public comment period for the DEIS extended from June 20, 1997 through August 4, 1997. Public hearings on the DEIS were held between July 7, 1997 and July 12, 1997. Six locations were selected for the public hearings on the basis of their proximity to the areas potentially affected by the proposed action and because they are regional centers of interested organizations and individuals:

- Alpine, Texas (July 7, 1997)
- Dell City, Texas (July 8, 1997)
- Truth or Consequences, New Mexico (July 9, 1997)
- Fort Sumner, New Mexico (July 10, 1997)
- Carrizozo, New Mexico (July 11, 1997)
- Alamogordo, New Mexico (July 12, 1997)

The purpose of these hearings was to provide a forum in which the public could seek clarification of the analyses presented in the DEIS and to receive questions and comments. Transcripts of the public hearings, copies of presentation materials, and submissions provided for the record by state and federal agencies, as well as private citizens, are presented in Volume II of the Final EIS (FEIS). The transcripts and submissions have been reviewed to identify individual comments concerning the DEIS. Discrete comments are identified with a two-letter code for the hearing location, and sequential number indicating the order in which the comments were made (e.g., Ap-97 is the 97th discrete comment identified in the Alpine public hearing.) Comments were used to identify areas where additional analysis might be desirable. Responses to these comments are provided at the end of the transcripts.

In addition to the comments received at the public hearings, comment letters were accepted throughout the public comment period (June 20, 1997 through August 4, 1997). Copies of the comment letters are provided in Volume III of the FEIS. As with the public hearing transcripts, each letter was reviewed to identify discrete comments, and each discrete comment was assigned a sequential number. As with the public hearing comments, the letter comments were used to identify areas requiring further analysis. Responses to individual comments are provided at the end of the comment letters.

SECTION 1.0

ALPINE, TEXAS
PUBLIC HEARING TRANSCRIPT

JULY 7, 1997

PROPOSED EXPANSION OF GERMAN AIR FORCE
OPERATIONS AT HOLLOMAN AIR FORCE BASE, NEW MEXICO
DRAFT ENVIRONMENTAL IMPACT STATEMENT

* *

PUBLIC HEARING HELD ON

JULY, 7, 1997

* *

COPY

APPEARANCES:

Lt. Col. Don Hargarten (USAF),
Ms. Sheryl Parker,
Mr. Bob Johnson,
Judge Heupel MR. JAMES JEPSON

BE IT REMEMBERED THAT on the 7th day of July, 1997 from the hour of 6:00 p.m. to 10:00 p.m. a.m., the following public hearing was had:

JUDGE JAMES HEUPEL: Good evening, ladies and gentlemen. I want to thank you for coming out tonight. This is the public hearing on the Draft Environmental Impact Statement or Draft EIS as you'll hear us refer to it for the Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico.

I'm Colonel James Heupel, and I'll be the presiding officer for tonight's meeting.

Before any decision to expand the current German Air Force presence at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an Environmental Impact Statement before the Secretary of the Air Force makes any decisions.

Part of the process involving receiving public comment on the Draft EIS which was written over the past year following scoping meetings last summer. At the scoping meetings, the Air Force asked for public input on the scope or range of issues that should be studied by the EIS. This part of the process enabled the Air Force to learn about any issues involving expansion of the German Air Force at Holloman that

were not previously identified. The relevant comments gathered during scoping are included in the environmental analysis. This analysis is contained in the Draft EIS, the contents of which are tonight's -- the subject of tonight's hearing. In case you haven't seen it, this is what the Draft EIS looks like and I'll talk more about it later, but one of the handouts at the door contains the various public libraries where this document is available for you to look at.

Now the Draft EIS has been directed for public review and comment based upon input received during the 45-day comment period, additional analysis will be evaluated and/or performed, and changes will be made to the EIS as necessary. If you've not previously had an opportunity to read the Draft EIS before tonight's meeting, you're encouraged to do so as soon as possible.

Now, a fact sheet with a listing of documents locations is available at the information table, as I indicated, or you may read the summary of the potential Environmental Impact which is also a handout at the front table, and the findings will also be addressed in presentations that are going to follow.

Now, there are two goals for tonight. The first is to provide information to you about the analysis of potential impacts to the environment resulting from the Air Force proposal, and the second is to receive your comments on the analysis. This will help the Air Force address all concerns about the proposed actions because comments received during this comment period from June 20th to August 4th of this year will be responded to in the final EIS. Tonight's hearing is one of six to be held in various communities in New Mexico and West Texas.

Before introducing members of the panel let me explain my role at this hearing. I'm a chief trial judge for the Air Force and I primarily handle military criminal cases, so I am not an expert on this Draft EIS nor have I had any connection with this development. I'm not here as a legal advisor to the Air Force Representatives who will be addressing the proposed actions. My purpose is to ensure that we have a fair, orderly hearing and that everyone who wishes to speak has a reasonable opportunity to speak and to be heard.

Let me introduce the members of our panel. There are three Air Force representatives here to propose the proposal, and let me just say that the

purpose of this is because a large number of people have not had an opportunity to read the Draft EIS or may not have been aware of where the locations are. So their presentations will go through and summarize what's in the EIS to give you a better opportunity to gauge comments that you might like to speak to tonight or to go get the Draft EIS and read it so that you can send in public comments later.

Now, the Air Force representatives on my immediate right will be Ms. Sheryl Parker. To her right will be Mr. Bob Johnson and to his right will be Lieutenant Colonel Don Hargarten.

Now, Colonel Hargarten is the Assistant Deputy Commander for the 49th Operations Group at Holloman Air Force Base. Ms. Parker is from the Air Force's Air Combat Command's Environmental Office and she's located at Langley Air Force Base, Virginia, when she's in the office. Mr. Bob Johnson is from the Holloman environmental staff.

Now, also with us tonight's is Debra Jimenez. She is a court reporter. She is taking down word for word everything that is presented tonight both what the Air Force is going to be speaking to you about as far as the summary and taking down your comments so that the entire proceeding tonight will be in the

final EIS and your comments will be in the final EIS.

Now, here's the evening schedule. Mr. Johnson will spend a few moments to provide a short summary of the environmental process and what you can do to provide input on what goes into the final EIS. Then Colonel Hargarten will present information on the proposal and the three options that the Air Force is looking at in order to facilitate increased German Air Force operations at Holloman. His remarks will take about 10 minutes. Then for approximately the next 20 minutes Ms. Parker will review the analysis of potential impacts to the environment from the proposed action and training option locations.

Now, following these presentations, we'll take a short break, probably about 10 minutes. During that time if you wish, you can certainly talk to the Air Force representatives, keeping in mind that the formal proceedings are those which are on the record and which we have the court reporter here for so that's where we particularly encourage your interaction, and when we come back from that break we'll then have oral comment from the public. I'll go through the procedures for that, but we're going to start off with, basically each person called will

have approximately five minutes time to speak. If we have time left over at the end and somebody didn't get enough time to speak I'll come back to them at that point, but right now I've already had approximately 16 people so that's already over an hour and half, going on two hours. We'll work with you on that, but it'll be approximately 10 minutes. I'll take any elected public officials and so far I have not been notified of any people. I take that back. I have one person who is signed up to speak that is an elected public official. So if you're signed up to speak and you're speaking on behalf of the political unit, if you'll let us know at the break we'll write that down on the card. We'll call on elected public officials first then we'll take everybody else and what I do is I shuffle up the cards and take the cards in random order so that nobody has the right to be first or nobody has the right to be last. It's wherever luck brings it. We'll just take everybody in random order and go through all the cards and try to make sure everybody has an opportunity to speak.

As we go through the process tonight, if you decide as the Air Force speakers are speaking, I didn't mark the block, but I really do want to

speak. At the break go on back, got your card and tell them, "Hey, I want to change that to I want to speak." or if you've got some questions that have come up as a result of what the Air Force officials have covered and you need to clarify what the Air Force people have talked about, go ahead and change your cards and say, "I've got some questions I'd like to ask to clarify what it is that they said." We'll collect the remainder of the cards that people turn in at the break and then I'll use those.

Now, you do also have the option of using this white sheet, turning in comments tonight or you can send in comments up until the 4th of August, but they actually need to be received by the 4th of August at this address at the bottom of the sheet which is at Langley Air Force Base, Virginia.

You can do any one or all three of those. You can do written comments tonight. You can speak tonight and you can turn in written comments later. That's fine. As I said my purpose is to ensure that everybody has an opportunity to speak and provide input.

At this time I'll call upon Mr. Johnson to talk about the EIS process and the schedule.

MR. JOHNSON: Good evening. My name is Bob

Johnson and I work with the Environmental Flight at Holloman Air Force Base, and during the next few minutes I will provide you with some general information about the Act that serves as the basis for these hearings, what we intend to accomplish, what's involved in the process, and what your role is in this process, and also to go over the schedule as it relates to the proposed action that we are evaluating.

NEPA, which was enacted in 1969, requires that before we, a federal agency, do something, we must analyze and document the Environmental Impact of that something before we proceed with the proposed action.

The NEPA document is meant to provide a clear unbiased discussion of any potential environmental impacts relevant to the proposed action and the alternatives.

Okay. The NEPA document is meant to provide a clear, unbiased discussion of any potential environmental impacts relevant to the proposed action and the alternatives. This analysis is intended to serve as a "clear basis for choice" and should avoid lengthy discussions of issues not relevant to the proposed action.

This leads me to a key statement in the NEPA Regulations. It's found in the Title 40 of the Code of Regulations. I would like to quote it. "Ultimately, of course, it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent action."

Everything the Air Force has done up to now and will do with this document and everything we do hear tonight, points towards the day when the decision maker signs the Record of Decision. Our responsibility as employees of a federal agency is to ensure a full and objective environmental analysis is performed to all components of this proposed action.

Is the EIS the only factor of the decision maker takes in the consideration? No. He or she must also consider technical design issues as well as the monetary costs. Other factors that could be taken into consideration include values of the local public as well as input from elected officials.

Once the decision is made, is the Air Force committed to implement the selected action? No. The final action in the NEPA process is the Record Decision, and it is just that, a decision. If the

decision is made to beddown the additional 30 aircraft and build the needed facilities, other constraints may cancel the proposal. The Air Force would not be legally under NEPA to implement the selected action.

In other words, to use a phrase our term has heard a lot as related to this and other proposals, this is not a "done deal." It is far from it and possibly may never become a done deal. The only decision made thus far has been to proceed with the Environmental Impact Analysis. The decision of whether or not to do this "something" and how to do it, won't be made until the analysis is complete hopefully this December.

I said I would tell you how you can be involved in the process. The Judge earlier told you what specific methods can be used to provide your comments. The primary thing you can do is ensure your comment is relevant to the issues at hand. We are here to receive comments in the Draft Environmental Impact Statement. We are looking for feedback on environmental issues you might feel were not adequately addressed or not address at all. Maybe you're a member of the Audubon Society and are aware of the presence of an endangered species in

the region of impact we failed to address. Maybe one portion of the discussion in the document was very confusing to you and you want to offer some suggestions on how we can make the explanation clear. These types of comments are helpful to us and would be taken into consideration as we continue our analysis.

We won't, however, enter a debate with anyone about Air Force's policy on training or issues related to NATO alliances. If you have questions along these lines, I would refer to you to the Draft EIS, Chapters One and Two and also to our fact sheets that we have out in the area there.

These provide the Air Force's reasons for what we are proposing while fully realizing that not everyone will be in agreement with us. Again our focus here tonight is the potential Environmental Impact of what we're proposing.

We don't have to have all the inputs tonight. If you think of something tomorrow or the next day, send us your comment in writing. The comment period will be open until August 4th. The mailing addresses are on the fact sheets you might have picked up or on the comment card.

So where are we at the the NEPA process? Like

all proposed actions evaluated under NEPA, there is a schedule, or "time line," we are doing our best to adhere to, and on this slide you can see all the key actions required by NEPA.

I would point out the June 20th date that's the date. That's the date that this proposed action showed in a Federal Register, that is the beginning of the comment period. That requires a full 45-day period to receive comments.

Our public hearings are, of course, in process right now. We have five more meetings to go through between now and the 12th. After the public comment period ends, then we start the process of including all the comments that we've received and continue the analysis.

Our projected day for a final EIS is November. That will begin the -- predicated on analysis that we have to do. If we need to take more time to do analysis, we'll take more time. The projected day for the actual finding of the Record Decision as we say is early December.

I hope that the information I've just given has provided you with a clearer understanding of what NEPA requires, why we are holding these meetings, and what we are trying to accomplish. Again, our

goal is to ensure the decision maker makes an excellent decision which will lead to excellent action, one that allows the Air Force to accomplish its mission while also protecting the environment. They go hand in hand. This concludes my portion of our presentation.

JUDGE HEUPEL: Thank you, Mr. Johnson. Now, Colonel Hargarten will give you the details of the proposed actions and the alternatives.

COLONEL HARGARTEN: Thank you, Judge. I am glad to be here tonight to provide an overview on this proposal to expand the German Air Force operations at Holloman. Before I get to into the specifics as to what the Air Force is proposing to do, I'd like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950s, Germany has demonstrated a commitment to its naval NATO role. German aircrews have been training in the U. S. in fighter aircraft since 1957. They have trained in F-84s, F-104s, F-4s and Tornados. Since 1992, the U. S. has provided German aircrew training in F-4s at Holloman Air Force Base. I was commander of that squadron for two years, and the German U. S. partnership was clear to

see as we hosted German Air Force pilots to hope ensure our allied aircrews are trained to the same high standard as U. S. pilots.

This partnership has been especially useful since the end of the Cold War, as multinational allied actions became an even more important means of protecting our nation's security and promoting stability around the world; as the Soviet superpower and the Communist bloc in Europe fell; and as the U. S. began the withdraw its forces from Europe.

All of these factors have made readiness and training more important than ever before because of a changing international environment, a greater diversity of risk and threats and reductions in U. S. military budgets. This policy is reflected in the current National Military Strategy which emphasizes international training and military exchanges.

For this approach to our defense to succeed, and for U. S. Allied Forces to be safe, we must provide both U. S. and allied aircrews with the highest caliber training. Combat readiness requires constant training, and is another reason behind this proposal. The U. S. and its allies must train the way they intend to fight. Responding to the

government's new military strategy and increased risk demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training; low-altitude training, air-to-air training and air-to-ground training. Proficiency in all three is vital. We want to ensure that people fighting along side us are just as combat ready as we are. Holloman is well-suited for further growth in the German Air Force training mission.

In addition to having the infrastructure to support the 12 Tornados already at Holloman, the base offers available land, air space areas, support facilities, local community support, and the benefit of being located near the German Air Force command headquarters at Fort Bliss near El Paso, Texas. These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness because it provides realistic training opportunities.

But another integral part of our mission is serving as a good neighbor and a steward the environment. That makes it important to us that you

insist in the decision-making process for this proposal and at any time you have concerns about our operations or activities. Our Public Affairs phone number is 505-475-5406. Community input has already led us to define avoidance areas or to raise minimum flying altitude over and distance from specific sensitive areas. We also work with the Federal Aviation Administration to reduce potential impacts to civilian aviation by providing advance notice when we're using many airspace areas.

In our role as caretakers of the environment, we believe environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our installations to sustain diverse environments and monitor the condition of natural resources, including air and water quality and land conditions to ensure that there is little or no degradation. We work closely with agencies such as the Bureau of Land Management, the U. S. Forest Service and the U. S. Fish and Wildlife Service to protect and enhance resources and minimize impacts to sensitive areas.

Now, I'll out line the main components of the proposal to expand the the German Air Force's presence and establish the German Air Force

Replacement Training Unit at Holloman. The Replacement Training Unit would function as a "school" for German Air Force Tornado aircrews.

First, the proposal includes facility construction and relocating an additional 640 personal to support training of German aircrews in the 30 additional Tornados.

Second, it includes aircraft training and airspace throughout the region, and third in order to meet the needs of the Tornado aircrews, three training options are considered within the proposed action: construction and operation of a new air-to-ground tactical target complex at one of two locations on McGregor Range or use of existing military training ranges at White Sands Missile Range and Melrose Range near Clovis, New Mexico to accommodate training requirements.

This "beddown" of 30 additional Tornado aircraft would require construction of administrative and academic buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities, hangers and dormitories on Holloman Air Force Base. Construction would total over $100 million. All of the construction and relocation expenses directly related to the Germans,

would be paid for by the German government.

A variety of airspace is needed to support the German Air Force mission. Airspace needs includes military training routes, low-altitude maneuvers, military operations areas, or large areas of airspace where military aircraft practice air-intercept training, and areas restricted to military use.

The proposed action would result in an addition of approximately 2,800 sorties on military training routes, 3,200 additional air-to-air, or "dogfight" sorties in military operations areas or restricted areas, and 2,600 air-to-ground range sorties per year.

Aerial refueling operations would also be performed. These sortie numbers are not cumulative. By that I mean you simply cannot add up all those numbers and arrive at a total number of sorties that would be flown by the additional aircraft. A single sortie may include use of low-level training -- of a low-level training route, then perform in-flight refueling. Then the use of military operations area for air-to-air training, and finally delivery of training ordnance on an air-to-ground range.

Currently the majority of tactical

air-to-ground training is conducted in White Sands Missile Range. According to national policy White Sands' mission of research, development, tests and evaluation has priority over Holloman's training mission. As a result, it is presently difficult to get adequate time to train in White Sands airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features of the Red Rio and Oscura target complexes preclude their use for training in certain types of munitions deliveries.

We are looking at three options to meet the air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range which is controlled on the Army's Fort Bliss. One option is a location on western Otero Mesa, and the second for the new target complex is location in the Tularosa Basin portion of the range. If a new target complex were to be built, it would be comprised of a 2-by-4-mile impact area within a 12-by-15-mile safety area. Construction activities would be primarily confined to the 2-by-4-mile impact area. No live ordinance would be used on the new target complex.

Although not operationally desirable, the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura on White Sands Missile Range west west of Carrizozo, New Mexico and Melrose Range near Clovis, New Mexico.

These training options differ only with respect to utilization of airspace and ranges. Aircraft would access either of the new target complex options or the existing ranges using military training routes.

Let's go over a few maps here to explain some of the locations I was just discussing. This first slide shows, first of all, this is Holloman Air Force Base where I was pointing with the red light. Just to the west of it is White Sands Missile Range here. White Sands Missile Range in blue. To the south is McGregor Range down here in light blue and then you can see various military operations areas on the map.

The 3,200 sorties I was referring to would be primarily flown on the two restricted areas here at the Beak and Talon MOAs.

We occasionally use the Pecos MOA and we do not use the Valentine MOAs or any of the MOAs here to

the west.

Next slide, please. Very busy slide here. It shows color coded military training routes that are in our local area. The -- Again to orient you the green circle here is Holloman Air Force Base in the middle. You can see White Sands Missile Range just to the west. Down her is Alpine in the corner. All of these low-level routes we use with the exception of IR-178 which runs from up in New Mexico and comes around on this green line here. We do not fly that out of Holloman, and also VR-196 that goes also by Alpine here. We do not use that route either.

Okay. Next slide, please. And there's 2,800 sorties that will be flown on the other routes shown. This slide here shows our local area of ground ranges and the ranges that are listed in red would be the ranges that we would use as part of the existing ranges option. Remember there were three options. One of the options would be to just use those ranges in red.

Quickly to discussion on those ranges. Here is Holloman Air Force Base in the middle. Then 45 miles to the north -- 45 miles no the north of Holloman is Red Rio Range. It is a tactical range that is inside of White Sands Missile Range.

When I say tactical range, it has an assimilated airfield complex on it, convoys, missile sights, industrial complex. There's a lot of different tactical charges for the Air Force to train on. It also has single live-drop charges for live ordnance. The targets are not scored and the range is not manned.

Just to the south of it is a Oscura Range which is 35 miles south of the base and it is a conventional bombing range. It has two targets with concentric circles around them. It is scored. It is a manned range.

A lot of people don't realize that on McGregor Range itself there is already a Class C target on the range. A Class C target means a single target with concentric circles around it. It is not scored and it is not manned.

One hundred forty-four thousand miles to the northeast is Melrose Range by Cannon Air Force Base. It is a tactical range and a conventional range.

Donna Ana Range we've got shown here. That is a range that the Army uses for their live artillery, firing and their maneuvering that we do not fly on.

Next slide, please. Okay. This slide shows --

Remember one of the options for the air-to-ground training was to use existing ranges. The other two options are shown here on McGregor Range. To orient you on this map, Oro Grande sits over here. If you're familiar with the area, this is Highway 506 that cuts through the road, cuts through the range. These two dashed red boxes are the two proposed locations. We refer to this one as the West Otero Mesa site location and this one as the Tularosa Basin location.

You'll often hear us refer to them as on the Mesa and off the Mesa. The mesa is defined, if you follow my laser pointer, this green mark along here is an escarpment. That's several hundred feet high and that's what defines on the Mesa versus off the mesa.

Both of these training options here, neither one of them require the move -- the moving of Highway 506 that is here, nor the movement of the power line.

Another small point is the location that is on the mesa does split two different grazing units. Grazing unit nine and thirteen evenly. Both of these impact areas are just a little over five thousand acres.

This dark blue line coming down on this map is a water pipeline. That comes out of the foothills here. That is used to bring water to some of the drafts -- water drafts for the cattle. If that option was chosen that water -- that pipeline would have to be moved.

And the last point I want to make on this map is it's very light and difficult to see, but this was the safety plan I was referring to that's 27,000 feet around these impact areas.

The public and ranchers would not be allowed inside the 5,000 acres or the 2-by-4-mile area access would have to be controlled there all the time.

Outside of that -- Inside of this 27,000 foot safety fan access would have to be controlled when the range is in use for safety reasons, but sportsmen would still be able to hunt in that area. They can hunt on the weekend, or ranchers, before we start flying or at the end of flying, to check on their cattle.

Next slide, please. The airspace that would be used could include modified military training routes and the structured airspace in southern New Mexico and West Texas that were contained in a separate

proposal by the Air Force and addressed in a Final Environmental Assessment or EA entitled Proposed Air Force Modifications to Support Units at Holloman Air Force Base.

That action involves establishment of an air refueling route. This EA has been approved by the Air Force and is currently undergoing review by the FAA. If this airspace modification is not implemented, existing airspace would be used to support the increased Tornado aircraft.

These differences in airspace availability and utilization are taken into account in the analysis of impacts in the EIS that are addressed today. Ms. Parker will discuss these impact shortly.

In addition to the proposed action and its three training options, the EIS includes the "no-action alternative," which analyzes the environment without the additional aircraft and aircrew relocation, target complex construction or change in airspace utilization.

This alternative does, however, include some other actions that have already been adopted, such as the change from F-111 to F-16 aircraft at Cannon Air Force Base.

The proposal to expand German Air Force

operations at Holloman is important to our country because it advances our efforts to keep our nation and its vital interests safe through a strong and well-trained allied team, despite the fact that U. S. military forces are much smaller today. Keeping this team ready requires constant realistic training now more than ever before. And central to this proposal and our ongoing mission is to serve as good neighbors and stewards of the environment.

Thank you for your attention. I appreciate the opportunity to make this presentation tonight.

JUDGE HEUPEL: Thank you, Colonel Hargarten.

Now, Ms. Parker will summarize the environmental impacts associated with this analysis.

MS. PARKER: Thank you, Colonel Hargarten.

This Draft EIS describes the Environmental Impact associated with implementing the proposed action which is to relocate 30 more German aircraft and associated personnel and support facilities to Holloman Air Force Base, and the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of our proposal. One is the construction at Holloman to support the additional

aircraft, personnel and the programmatic needs. Two, is the training and airspace throughout the region and three are the three training options to meet the air-to-ground training requirements.

We looked at three options to satisfy the needs for increased air-to-ground training. Two of these options involve new construction on the McGregor Range, and the third option would increase use of existing ranges. We also looked at the use of airspace in a region. The Air Force has requested that the Federal Aviation Administration approve modification of military training routes in New Mexico and southwest Texas and the Talon military operations area in New Mexico. The Draft EIS examined the environmental affects of the proposed action both with and without this modified airspace. Also, as I mentioned previously, we examined the no-action alternative, which considers not implementing the proposal and, therefore, results in no change or no impact to any of the environmental analysis categories.

I'll discuss the overall impact to the environment associated with implementing the proposed action, impacts to airspace use and management, Environmental Impact of constructing one

of the two new target complex options, as well as the option of using existing ranges. Existing ranges include Oscura and Red Rio on White Sands Missile Range, which is west of Carrizozo, New Mexico and Melrose Range located near Clovis, New Mexico. These three ranges would be used under all three training options, but their use would be considerably higher under the existing range training option.

Before going into the specific impacts, I want to explain how the impact of the proposed action were compared to environmental conditions without the proposed action. First, we describe the existing environmental condition in the fiscal year 1995, however, has Colonel Hargarten mentioned earlier, there are a number of actions that have already been approved that will occur whether or not the additional 30 Tornados are brought to Holloman. For example, in 1995 the 12 Tornados that are already at Holloman had not yet arrived. Also a squadron of AT-38s at the base were activated were just this year. Also Cannon Air Force Base is in the process of converting from F-111s to F-16 aircraft and they will be using some of the airspace that the Tornados would use.

Therefore, to provide a baseline to compare to

the actions, we projected the environmental conditions that could be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions that would occur between 1995 and the fall of 1999 or the first quarter of fiscal year 2,000 when the 30 Tornados would be bedded down.

The Draft EIS also discusses cumulative impacts from the proposed action in combination with other reasonably foreseeable Department of Defense actions affecting Holloman Air Force Base and the airspace and ranges in the region.

At any given time there are a number of potential actions that could include facing aircraft, changes in mission for the aircraft at a particular base or new construction at a base that the Air Force might be discussing or contemplating. Many never make it past the discussion stage, but some do and it's not always possible to call them reasonably foreseeable actions during the early discussion stage.

As an example, development of the new F-22 Rafter aircraft is well underway, but the basing process is not yet out of the discussion stage, therefore, including the discussion of the

possibility of basing an operational unit at Holloman is not necessary because it is not now reasonably foreseeable.

The Air Force is also discussing establishing a new electronic scoring site for bomber aircraft, and if the decision were made to persue that range for those target scoring sights, it will probably be or potentially be located somewhere in the mountainous west or southwest, but the definitive criteria that is necessary to formulate this discussion into a proposal has not yet been developed, therefore, its precise location is not reasonably foreseeable and the analysis is not included in this EIS.

Now to summarize the findings of the Draft EIS and the 13 environmental areas analyzed in the document. Tonight's briefing is an overview of the general findings in each discipline. I recommend that you refer to the Draft EIS for the detailed resource impacts.

The first resource area we examined was airspace and management. Our analysis found that there would be minor impacts to civil aircraft traffic due to the increased operations at Holloman. None of the three training options under the proposed action would have any significant airspace

impacts.

The noise analysis examined impacts around the Holloman Airfield and the airspace and ranges that would be used. At Holloman and the surrounding area, about 41 acres are currently exposed to day-night average sound levels of 65 decibels or more. Day-night average sound level is a measurement that averages noise for multiple events, such as jets taking off or flying overhead over a typical 24-hour period.

The measure adds 10 decibels to events that take place between 10 p. m. at night and 7 a.m. in the morning because of an increase in sensitivity at night.

By October 1999 the effected area would increase to about 42 acres due to other ongoing activities. Implementation of the proposed action would further increase this to about 47 acres, which is a change of about 12 percent for either the West Otero Mesa or the Tularosa Basin training option. Sound levels under most affected airspace away from Holloman would remain essentially consistent or increased by a few decibels.

In no case would the average sound level increase by more than six decibels. Under the

existing range training option, sound levels under effected airspace would increase negligibly at most locations or even decrease in some instances, but there are some instances, such as under the Pecos Military Operations Area near Fort Sumner, that sound levels would increase by as much as 13 decibels from their existing levels to about 45 to 46 day-night average sound level to about 57 to 59 decibels. Except at the air-to-ground ranges themselves, none of the airspace areas, the military operations areas and the training routes would have an average noise level above 65 decibels under any of the options.

Increased operations of Holloman Air Force Base would result in increased noise over portions of White Sands National Monument. Other changes in overflight in the affected airspace would result in negligible changes to sound levels at most locations, with no significant effect on the land use.

In some areas east of McGregor Range and southwest of Artesia, particularly where airspace units will overlap there will be a noticeable increase in the number of overflights that could be annoying to residents and outdoor recreationists.

Under the Existing Range training option, areas near places like Capitan Mountain and Sumner Lake would experience higher overflight increases that could also be annoying to recreationalists, however, even with the increases, the total number of overflights would remain low with any one location unlikely to be overflown more than once a day.

Construction of a new target complex at McGregor Range would result in a reduction to access to portions of Otero Mesa that are south of Highway 506 by recreationalists, BLM workers and ranchers. Access for livestock management, for example, would need to be scheduled around the time that the complex would be in use, which is estimated to be about 60 hours a week. Livestock grazing would be able to continue, however, even when the complex is being used.

If the new target complex were constructed on the West Otero Basin portion, about 5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land would be removed from grazing, but access to portions of Otero Mesa would still be restricted for people while the target complex is in use. Neither option would effect access along Highway 506 itself.

Air quality would not be significantly impacted by this proposed action. There would be temporary increases in air emissions during construction of the facilities at Holloman and if a new target complex were built, but these emissions would not result in significant impact to the air quality conditions including visibility conditions. Aircraft conditions would also increase, but these emissions would not be at levels enough to effect adherence to the national ambient air quality standards.

Potential impacts to biological resources from implementing the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, direct loss of animals and temporary disturbance from noise.

About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman Air Force Base for construction of facilities. In addition, an existing building that is used by rats -- bats not rats, as a roost would be demolished. Burrowing owls in the vicinity of the proposed facilities would be relocated. There would be no impacts to threaten or endanger species or to wetlands.

Other potential impacts would include continued

disturbance of vegetation and habitat at the existing ranges and a continued temporary wildlife disturbance from noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to the baseline, but the increases would be relatively small and result in small increased potential disturbance the wildlife. Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the area of the Lincoln National Forest, Sacramento Mountains and Gila wilderness in New Mexico and the Apache-Sitgreaves National Forest in Arizona. Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown.

Similarly, the bald eagle winter concentration areas in west-central Arizona, which is the portion of the Rio Grande in the region around Elephant Butte Reservoir and the Brantley Lake and the Santa Rosa Lake along the Pecos River potentially would be overflown more frequently.

These daily overflight increases would be relatively small and result in a low impact to the protected species. Consultation with the U. S. Fish and Wildlife Services would be completed prior to any use of the airspace to implement the proposed

action.

Impacts associated with construction and use of a new target complex in Otera Mesa would result in a net loss of 500 to 1,040 acres from construction of targets, fire breaks and roads.

In addition, annual redisturbance would occur during ordnance and maintenance. Use of inert ordinance would increase the potentials for fires within the impact areas. Up to 46,000 linear feet of waters of the U. S. may be affected under this option.

Loss of this grassland and shrubland vegetation would result in a minor loss of wildlife habitat including habitat for burrowing owls, aplomado falcon and black tail prairie dog and gramma grass package habitat.

Also wildlife would probably avoid the new target complex while the ordnance was being dropped and during cleanup and maintenance because of the human presence and the noise.

Increased aircraft sorties would result in more frequent overflights of wildlife on the McGregor Range. For example, wintering bald eagles, nesting raptor such as the red-tailed hawks and the northern harriers, and bat habitat including potential roosts

along the escarpment and feeding areas and watering sources would be overflown more frequently.

Impacts associated with construction and use of the new target complex in the Tularosa Basin base portion of McGregor Range would include short term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before constructing the targets.

In addition, an annual redisturbance of about 1,040 acres would occur during ordnance cleanup and maintenance. Use of inert ordnance and flares would also increase the potential for fires under this option. About 33,240 linear feet of waters of the U. S. may be affected by the construction and use of this option.

Loss of this grassland -- shrubland vegetation would result in a loss of wildlife habitat including for aplomado falcon and night-blooming cereus. As with the West Otero Mesa option, wildlife would probably avoid the new target complex during dropping of inert ordnance and during cleanup and maintenance because of the human presence and the noise.

Using only existing ranges would result in slightly higher aircraft use of IR-113 and VR-176

compared to the No-Action alternative. The increased use of VR-176 would result in a small increase potential for overflights of habitat of peregrine falcons, Mexican spotted owls, bald eagles, whooping crane and the southwest willow flycatchers.

Impacts from the proposed actions to cultural resources on Holloman Air Force Base under airspace areas or at existing ranges would be negligible. If a new target complex were constructed on West Otero Mesa, 17 sites are eligible or potentially eligible for placement on the National Register of Historic Places could be impacted. If a new target complex were constructed in Tularosa Basin, 29 sites either eligible or potentially eligible for placement on the National Register could be affected.

Water resources would not be impacted by the airspace components of the proposed action. Construction and new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any serious problems resulting from runoff. Increased use of existing ranges would result in negligible impacts caused by the runoff and there is an increased potential for soil erosion during heavy rain. However, resulting impacts to surface waters would

be minimal.

Increased soil erosion and sediment transport could result from construction and operation of a target complex in the Tularosa Basin, but the impacts would negligible.

Impacts from the West Otero Mesa option would be similar. In addition, there's a chance that water resource improvements, such as pipelines, water tanks and pump houses could be damaged by inert ordnance. These improvements would be relocated as necessary or repaired to ensure that the availability of water for wildlife and livestock is maintained.

There would be a 12 percent increase or about 13,500 pounds of hazardous waste generated per year and an increase in use of hazardous and toxic materials at Holloman. Hazardous materials would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on hazardous material and waste management practices.

Hazardous materials and waste management are largely unaffected by any airspace utilization. Munitions on existing ranges would increase, but Air Force ranges are cleared annually of scrap metal,

which is disposed of through existing orders and regulations.

Under any of the training options munitions use would generate about 150,000 pounds of non-hazardous scrap metal each year. Again, since the cleanup of the disposal are in place to handle this waste, there would be in significant impact to environment or hazard from this activity.

The proposed action would result in an increase of 640 military personnel at Holloman and generate about 110 construction jobs. Annual wages and purchases in Otero County would increase about 10 percent to 18.2 million with the potential for an additional infrastructure improvements. There would be no significant impact to socioeconomic attributes, such as employment, construction, police or fire protection.

Cost of construction of a new target complex on West Otero Mesa is estimated at $4 million, and the Tularosa Basin option cost is estimated at $20 million. Airspace utilization is not -- not affected of the socioeconomic conditions.

The only transportation impact resulting from the proposed action would occur in the city of Alamogordo. Although the proposed action would

result in a relatively small increase in traffic. There would be no adverse effect on traffic conditions, potentially increasing congestion on the main road that goes through Alamogordo.

Utility use at Holloman would increase between six and thirteen percent under proposed action, but the increase would be within the existing level of service, and Alamogordo utility use. Water, waste water treatment, waste disposal and electric and natural gas supply would increase from three to six percent. There would be no impact on utilities from changes in airspace or range use.

If a new tactical target complex were built on West Otero Mesa, a portion of existing waterlines and a stock tank may need to be relocated. The other training options would have no effect on the utilities.

Construction at Holloman Air Force Base and Red Rio and Oscura Impact Areas at impact and White Sands Missile Range could effect soils, but because of the present condition of these areas, the impact would be minor.

Increased live munition drops at Red Rio could increase vegetation loss and increase potential for soil erosion. While increased use of live ordnance

at Red Rio could result in increased contamination from uncombusted explosives, past use was found to have caused negligible soil contamination. If the Tularosa Basin new target complex were constructed, virtually 100 percent of the 5,120 impact area would be heavily impacted. That is, all vegetation would be removed in order to clean up existing unexploded ordnance.

If the West Otero Mesa complex were conducted, approximately 20 percent or about 1,040 acres of the vegetation would be removed. Soil conditions would be unaffected by airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in risk of aircraft mishap and bird-aircraft strike if the proposed action was implemented. Although munitions use and handling would increase over the current conditions, range operating procedures are already in place to ensure safe operations, so no significant impact is expected under any of the training options. There is a potential for increased fire risks if one of the new target complex alternatives is selected.

The effects of this proposed action along with other actions which have recently been implemented,

such as the 12 Tornados that were brought to Holloman last year, and actions which will be implemented in the reasonably foreseeable future, such as the change to the F-16s at Cannon Air Force Base we've addressed in the Draft EIS's Cumulative Impact Analysis.

A comparison was made between conditions as they prevailed for fiscal year 1995 and those that are projected for fiscal year 2,000 under the proposed action. For most resources, no significant cumulative impacts would occur following expansion of the German Air Force operations at Holloman. These resources include airspace management, air quality, archeological, cultural and historical resources, water resources, hazardous materials and waste management, safety, utilities, transportation and soils.

In most cases, cumulative impacts would be related to increases in aircraft operations and associated noise which could effect land uses and biological resources. Other activities, such as timber harvesting and grazing, could react to the habitat impacts, although these impacts would be minor. Other projects in Alamogordo could effect the employment and economic activities in the area.

In summary, most locations affected by the proposed action would receive negligible impact to the environment. Areas that are projected to be most affected, if the proposed action goes forward, are areas near Alamogordo because of increases in employment, population, traffic and aircraft operations at the base, areas near Carrizozo because of an increase in nearby overflights, areas west of Truth or Consequences in which threatened and endangered species, such as the bald eagle and Mexican spotted owl, could be disturbed by potential increase in overflights flights. The Fort Sumner area because of potential increased nearby overflights if there is an increase in use of the Melrose Range. Near Dell City because of increased nearby overflights, and the Alpine, Marfa, Fort Davis area could experience increased nearby overflights if expansion of the German Air Force operations is approved.

Thank you for your interest and attention.

JUDGE HEUPEL: Thank you, Ms. Parker.

Now, we'll go ahead and take a break at this time. If you have some clarifying questions you would like to ask or if you would like to sign up to make some comments, see the people back at the

back. They'll have the cards.

I've got the cards for people that have already signed up, but if you didn't sign up and you decide now you'd like to, or you got some questions you'd like to ask, we can do that.

Yes, ma'am?

UNIDENTIFIED FEMALE SPEAKER: Other than people making their comments, will there be a time for asking questions from you all about the presentations just given?

JUDGE HEUPEL: If you have some questions you want to ask about the presentations just given, what I'd ask you to do is just go ahead and sign up and we'll do that right during the comment period to the extent that the people here can answer them.

UNIDENTIFIED FEMALE SPEAKER: You will respond to a question asked.

JUDGE HEUPEL: Yes. To the extent that the people here can respond to questions, we would do it during the comment period. So if you'd like to get some clarification or if you want to get more -- exactly what the impacts are versus Alamogordo or whatever, just go ahead and get your card and indicate you want to speak and I'll get it and we'll get you called up. We'll take a 10 minute break.

(Whereupon, a brief recess was held.)

JUDGE HEUPEL: There are quite a few cards here. Let me go through the process before I do that. There a couple of administrative matters I want to handle.

First of all, there are seven fact sheets or handouts concerning various parts of the environmental process and those will be made an exhibit, part of the Formal Environmental Statement and part of the Document itself.

In addition, in the back of the room there are five display boards, and those have been reduced to color handouts that I think are available and a handout of each of those display boards will also be made a part of the formal Environmental Impact Statement because these are being provided to you to try to help explain some of the things that are involved. It's important that they be part of the formal process and if some of your questions go to them, then we can try to have those answered or those would have to be answered in the final environmental statement document itself.

Okay. Now, as I say, I got a number of cards that have been handed in. As we go along, if you decide, even after we started in, that you'd like to

make a public comment or ask some questions, raise your hand or go to the back and we got some more cards, and they'll bring those up to me.

Here's what I'd like to do. Don't speak until I've called upon you, and I'm going ask you to address your remarks to me as the hearing officer. If you've got a written statement, you can hand it to me. I'll be glad to take it. If you've got your comments in notes, I can tell you that the court reporter would be happy to have your notes to help in her preparation of the record, if you wouldn't mind giving those to her. She would appreciate that. You certainly can just turn in written comments here, but I think most of you, even if you've got the written comments, you'd like to read part of them or make your statement and that's fine.

When you start in, while I may have already called your name, I'm going to ask you to repeat your name and just indicate what city you're from or if you're representing a group to go ahead and indicate the group that you're representing. Speak into the microphone, again to help everybody to hear, help the court reporter to be able to record your comments.

As I indicated, the speaking is going to start

out with five minutes and we've got more than a couple hours worth of speakers with just five minutes. If we got time at the end, I'll come back to people that I've called on previously if they indicate they need more time. Basically, what I'm going to do is at the end of five minutes I'm going to raise my hand, I'm going to ask you to go ahead and finish up the point that you're making, but don't go on to something else. Just ask you to go ahead and ask you to finish up. You don't have to just stop right there, but finish up the point you're working on and then if you go ahead and sit down so that everybody has an opportunity to speak.

If somebody else has said something that you want to say, "I agree with those remarks," that's fine too. You can say that, or you can say the remarks again yourself, whichever you prefer, but if you want to say I agree with remarks of so and so, that's fine.

Sometimes people ask: "Can I give my time to somebody else to speak?" and my answer to that is, no. I want to hear from everybody. So even if you have only a minute's worth of comments, that's fine. I want to hear from you. I really want to encourage people to come on up and speak and give

your thoughts.

Finally, I'd state, we need to have only one person speaking at a time. The court reporter can't record two people speaking at a time, and if for some reason somebody needs to ask a question from the back, I'm going to need to have you come up to the microphone, again so that everybody can hear, but particularly so the court reporter can hear what it is that is being said.

With that in mind, I've got two people that are elected officials. I'll call on them first and then I'll go into random order with the rest of the people.

Mike McMiller, if you would please come up. While he's coming up, Harold Pattillo, if you would come on up and have a seat up front, so you can start in when he's done.

MR. MCMILLER: I'm Mike McMiller. I'm a City Councilman for -- from Alpine. I have to put a disclaimer. I don't speak for the City Council as a whole. We haven't met on this and discussed it. I suspect we will be after this meeting, though. So the views are my own.

Some of the, really, things I have are questions. There's a lot of information that I

don't think we had far enough in advance to develop our arguments or thought process here so maybe in the future meetings. That might be something that's helpful. If you advance that and give us a chance to see the same information that you have. That would probably be helpful in these proceedings.

Some of the questions that I had -- one of them is: How long is the Air Force intending to use this route? Years? Months? What -- Is it a permanent fixture that we're looking at? Who can answer that?

JUDGE HEUPEL: Is that something that someone can answer at this juncture?

COLONEL HARGARTEN: Well, there's no time limit to using the route, so I would say the best answer would be indefinitely.

Now, the MOA or the memorandum of the agreement with the German Air Force was a 10 year agreement, but, of course, that's subject to being renewed, so the best answer I would say would be if you're making comments tonight, assume it's indefinite when you're making your comments.

MR. MCMILLER: Okay. Before you leave, how far as increased flights, is there another process that addresses that or can you increase them on your own without any public approval.

AP-1

COLONEL HARGARTEN: The environmental process of the process we're going through here is assessing a certain number of flights on these routes. We can fly less than that, but we shouldn't fly over that.

MR. MCMILLER: Okay. Who watches that? Who do we -- who do we go look for when -- when we think there's 5,400 flights instead of the estimated 43?

COLONEL HARGARTEN: Okay. You can either go to air combat command with that address on the fact sheets or you can just call Public Affairs at Holloman on the phone number that we had on that slide previously and we can report to the numbers already filed in the previous year. That data, we've go --

By the way, as we do some of these tonight, I have some other experts in the room with me tonight and I might call on them to help me out on some of these questions, but we can provide that data -- as we use the airspace over the next few years, we can provide that data to you on historical usage.

MR. MCMILLER: Regarding the Environmental Impact, the Air Force, I'm sure, generally has a margin of loss, plus and minus of lost aircraft. Is

DEBRA JIMENEZ-THAMES, CSR
P. O. Box 865
Alpine, Texas 79831
915-837-1965

that number being assessed in this situation, and that is regarding the Environmental Impact?

COLONEL HARGARTEN: Yes. It's in excruciating detail in there. In fact, a lot of times we can't recall numbers in there because there's somewhere between 10 and 30,000 numbers probably in this one document, but every aircraft that will be flying on the route, its historic safety record is applied against those different routes to try to anticipate, "Well, what is the chance of having an accident over -- or statistically when would a F-4, a Tornado, a B-1 have an accident in a certain military operating area or in a certain low-level route based on the amount of usage?"

So if a route was used a lot, it would -- and that aircraft had a higher accident rate, there would be a higher chance of having a -- a accident in a shorter time period. Maybe it might be one accident in twenty years versus one accident in 40 years.

Does this make sense to you?

MR. MCMILLER: Well, is it in the book?

COLONEL HARGARTEN: Yes, sir. It's in great detail.

MR. MCMILLER: How do we obtain those?

COLONEL HARGARTEN: The list of the libraries we could give you that information, in fact, it's in one of the fact sheets that list all the locations for the documents in the back and you can go to -- most of the public libraries will mail it to you.

MS. PARKER: On the sign up sheet, if you don't have a copy of the Draft EIS and you would like to get your own copy, you can request that on the assignment sheet as well. That would be in addition to receiving the final, but there are -- there are copies of the draft located in the various libraries.

MR. MCMILLER: I have some hazardous -- hazardous materials questions for Ms. Parker, I guess.

AP-2 What -- One of the questions I have is what type of hazardous material are these planes going to be carrying? Fuel? Munitions? What?

MS. PARKER: The planes themselves are not going to be carrying any hazardous materials. The hazardous materials that we're talking about are those that can be utilized for the maintenance of the aircraft in space.

AP-3

MR. MCMILLER: Okay. If they're used in bomb ranges or -- or practice bombing?

MS. PARKER: Live ordnance is not being utilized.

AP-4

MR. MCMILLER: Okay. What type of Environmental Impact would we expect from a -- from a crash of a Tornado? I don't think any of us here are familiar with what to expect, but it is a possibility. So you guys have that information. You have that experience, I would think. You've seen them crash before, I would assume.

MS. PARKER: In regards to the Environmental Impact there would be various things that you would need to look at, including the fuel, where actually the aircraft had the accident. Because I'm not the expert in that, I would prefer not to answer that question here, but that is made part of the record and a response would be given in the file in regards to that.

JUDGE HEUPEL: Let me just ask: Is there a substantial difference between a Tornado and an F-4 or some other military aircraft that would be flying?

MS. PARKER: No, there wouldn't be.

COLONEL HARGARTEN: All the aircraft that

are listed to fly in different routes, we have that historic data. It is different from the period it takes the aircraft, and it's usually assessed in accidents in 100,000 hours. That's the way the Air Force checks accident statistics, so one aircraft may have an accident rate of 2.5 accidents per 100,000 flying hours and another aircraft may have six.

MS. PARKER: But it would be no difference in an aircraft -- if an F-4 crashed versus a Tornado crashed.

COLONEL HARGARTEN: And the answer to that question, the crash, it's very complicated because the debris pattern that's involved depends on many factors, How high was it? What was the impact angle? Was it very low to the ground? Going perpendicular to the ground or was it going straight down towards the ground? There are many, many factors. What type of terrain was it involved in?

MR. MCMILLER: Thanks. Another question for Ms. Parker. I'm just curious. I've been on an aircraft that were flying less than 1,000 feet. The minimal decibel rating that you cited, I don't recall it being minimal. I recall it being deafening. That is one question I'm curious about,

because we didn't discuss these -- these aircraft --

MS. PARKER: What you need to look -- In the document there is a -- You need to distinguish between what's called the single event level and, that's what you and I hear when it flies directly overhead for that particular amount of time approximately 10 seconds versus 65 decibels over an average 24-hour period.

So what you were hearing as you said with your experience flying in the aircraft would be at that particular moment, at that particular time versus if you take the 10 flights that you had that day and average it over a 24-hour period, and that information on specific aircraft are given in the document as well.

JUDGE HEUPEL: Time.

MR. MCMILLER: Time?

JUDGE HEUPEL: Yes.

MR. MCMILLER: Well, I don't know if I speak for my neighbors, but I speak for myself. Everybody has something to gain on this, but poor old West Texas once again. Maybe -- I was thinking maybe the Air Force could send some of that hazardous waste that's been collecting in Alamogordo and send it out to Sierra Blanca, and maybe we could

make some money off that.

Thanks for helping us.

JUDGE HEUPEL: Thank you, Mr. McMiller. Mr. Pattillo.

MR. PATTILLO: All right. Harold Pattillo of Jeff Davis County. Republican chairman. I don't really know how to make an assessment of what you're doing in New Mexico, but I at least hope of what you're doing in New Mexico is over land that the government already owns, but it's a different instance in Texas where most of the land is owned by people who make a living with it, and I cannot see that -- what you're proposing for a West Texas is going to do anything except to the -- of the people and the animals of West Texas.

Now, we have been your friends, the people of West Texas, and certainly the party that I support and represent, the republican party has supported the military when other people and voters in the government -- in the country did not.

But when you become a bad neighbor, as it looks like this assessment is realizing, then it's -- the relationship changes, and as you well know, between two and three years ago Holloman almost closed if you hadn't had this German project to prop you up.

When we write letters telling of all the damages that we incur if you start flying the low-level planes over Texas, and that stack of letters get so high from Holloman and not so high for Kirkland or some -- or for Cannon or one of the bases in another state, you're the one that we've got to, and it seems to me we can't -- we don't impact your internal workings, but we do have an opportunity through steadfast letter written complaints to the Department of the Defense to stop what you're doing over West Texas with the fatality of closing your business. Thank you.

JUDGE HEUPEL: Thank you, sir. I'm going call on two people. The first person to come up and speak and the second person to come up and have a chair. As each person comes up in the future, then I'll call on another person to come up and be in the chair or ready to speak.

The first speaker will be Ray Hendryx and the second speaker would be Mac White.

MR. HENDRYX: It was mentioned a little bit earlier that the FAA will be notified when flight operations in this area are scheduled. Now, can we assume that the times and the locations of these flight operations are all unclassified in

public information?

MR. KING: Yes, sir. Dan King, Chief of Air Space and Ranges at Holloman Air Force Base. We're required to note when those flights are filed and there is public information available through the FAA through the flight service station.

MR. HENDRYX: How far in advance?

MR. KING: At least two hours in advance. A minimum of two hours. Usually twelve to twenty-four.

MR. HENDRYX: I ask this same question because this was brought up at a similar hearing a year ago, and I asked this question on the record and I asked if the news media could be notified in advance when flight ops would take place and I was told that we could and we would be. It hasn't happened and I can't get anybody to answer or return my phone calls and tell me why we -- what fell through.

MR. KING: Holloman is not flying in this area yet. We have not. We won't fly in this area for at least six months because that's how long it will take the publications done for Holloman to start flying here. There are other Air Force units flying down here, but it is not Holloman.

MR. HENDRYX: I -- I understand that, but when I called and asked -- when I called Holloman Air Force Base and asked about it in trying to arrange this, I couldn't get anybody to return my calls; that's what I'm saying?

JUDGE HEUPEL: This is the gentleman you need to speak with and perhaps you can get him your phone number and you two can communicate.

MR. HENDRYX: Okay. Thank you.

JUDGE HEUPEL: After Mr. White will be, I believe, it's Kaare Remme.

MR. WHITE: I'm Mac White. I live south of Valentine, Texas on the Bryant Ranch, and it's obvious that a lot of us people are concerned about what the Air Force is wanting to do, but it seems like in years in the past we've been to these same meetings and talked the same discusses about what Air Force is flying.

My particular statement I'd like to make tonight is not so much related to what's going -- what plans for the future are, but what's going on right now. It seems like, we're all taxpayers and we're here dealing with the problems we have on a daily basis, and my concern is, like, with Dyess Air Force Base, and I'd much rather have been later on

in the program to discuss some of this because I'm sure some other people are going to have the same concerns.

The B-1 bombers, they come over the Sierra Vera flying quite low. I'm sure you'll familiar with it because the taxpayers lost a plane on that mountain four or five years ago.

This is what the B-1 looks like when it flies into the Sierra Vera, and I was there that morning fighting the fire and the crew lost their lives.

These low-level flights and these mountains are pretty unforgiving, and technical problems or human problems, errors are going to be made and those losses are -- seem senseless to me, and I'm sure to the family members they feel the same way; that their sons were lost in that flight.

I went up there and I saw some things that I never -- I never -- never would hope to see again. It's unbelievable. The damage, and the devastation. You just can't imagine. It's not like the plane flying and the mountain sticking up in the air. It's got millions of small pieces.

But anyway, we have a concern with that and we thought we'd call the B-1s come down over the Sierra Vera and they come up over what's called the

Valentine Flat flying towards Chinati, and these pilots are down low, they shake you out of your bed, you call Dyess Air Force Base and a public relations officer says, "Well, I'm sorry. There's nobody here that can talk to you."

I want to know why when we call, it never seems to be important the next morning? Why anybody never bothers to call back? They have our phone number. They have our mailing address. There's no response.

AP-5 And then my next deal is I want to know how accountable the Air Force Base is for the damages caused by all these low-level flights? There's several different things that could go wrong for livestock over fences and Lord knows what else. There's losses, and be able to go and prove that that is actually what caused it, although your -- this has not happened, but although your horse has run over the fence and his front leg has been severely cut. He may never be able to ride him again.

Who -- Am I suppose to absorb that? I can't prove that that flight put that horse over the fence. Who's going to prove all this? I mean, where is it going to end? That's my question. It just seems like the Air Force is wanting more and more

and more, and it seems like it's never going to end. That's why we're here again tonight because we're right back to where we were 15 years ago when they wanted to do the high level, I believe, it was the Eagle that they flew the high altitude training, and it just seems like there ought to be some consideration in some other places.

Just because we're small people out here. We live and make our livings here. This lady was talking about the tourism and the recreational people, well, they come and go. Those that wake up every morning that live here, it's a little bit different. Thank you.

JUDGE HEUPEL: Thank you. After Mr. Remme will be Bob Jones.

MR. REMME: My name is Kaare Remme and I represent McCoy family and my family and the McCoy land and cattle company.

We have a number of ranch properties that are underlying in the area effected -- we have a number of properties that are underlying the area effected as well as some airstrips under there, as well as a number of families living under there.

I'd like to discuss a couple of things pertaining to this. One of them is that my concern

is that of the alternatives presented here, I've seen no evidence of you ever having considered the use of some other bases other than Holloman.

AP-6 Your activities seem to be limited to facilitate a use of Holloman for the increase training instead of some other base that does not have to ask for the encroachment on private property.

AP-7 To whose advantage was the decision to increase the activity at Holloman and why were we not first

AP-8 asked to consider it's impact on us? More than half

AP-9 of western U. S. and most of New Mexico is federal land, so why can't the training be conducted there? I feel very much as though our mountains are being viewed as pylons on a race track.

I'd like to raise the following issues pertaining to the proposal. One of them is safety, because the great increase of speed of the aircraft

AP-10 involved and because of lowering the altitude involved, the ability of the other aircraft to operate in the area to see and avoid will become nearly impossible.

The safety of my men who will be working on horseback directly under, along side and even above these aircraft, will be seriously jeopardized.

Crashes such as the B-1 that has already occurred near Valentine, will jeopardize the people and property on ground, including those ranches and volunteers who may fight fires for days and nights to finally get control of the situation.

AP-11 Another issue is environmental. The noise level as well as the nature of the noise will change dramatically. This greatly, adversely affects the quality of life of the people who live in the effected areas. Many people satisfied in various ways to live and enjoy living in such a special pristine and quiet environment, and the enormous intrusion proposed, would change that dramatically.

AP-12 There's a considerable economic impact for the property owners who will find the special solitude of their property disrupted a great deal.

AP-13 The wildlife will be adversely affected, injured or changed by either their response to the increased noise or their desensitization to the increased noise.

Another issue that I think is very important that we have the right to consider as citizens is governmental liability. Because of an unnecessary and considerable liability to our government has incurred by allowing high speed and low-altitude

operations over private property. It is simply not prudent.

To persevere with this plan will represent an attempt at a taking of the property while simultaneously incurring the liability for our government for the effects of the operation.

AP-14

Thank you.

JUDGE HEUPEL: After Mr. Jones will be Richard Simpson.

MR. JONES: My name is Bob Jones and my address is Dell City, Texas. We ranch in New Mexico and in Texas both and we own property on both sides of the line.

I understand many comments here about why don't we put this in New Mexico where the government owns everything, and I beg to differ with some of you, they don't. There's a lot of land up there that's in private ownership that's being impacted by this, and also school, and the beneficiaries of our children in the State of New Mexico is going to be impacted by this.

So the problem seems to me is that we have a community of Alamogordo, we have the McGregor Range, we have Holloman Air Force Base, we have the American Air Force, the United States Air Force and

the German Air Force that all are receiving positive benefits from this, sometimes economic. Mostly economic.

That's -- All of those people like us that live in the rural areas and we've done it up there for 50 years and we're very familiar with it, and I know there has been some of it here, but we receive all the negative impacts with no compensation, no thought of it, no remuneration for the problems, no remuneration for all of the damages that have been stated here earlier, so it's kind of a one-way deal. The people that are actually -- that are gaining by it, are not sacrificing anything and the people that are losing by it are sacrificing maybe a whole lot more than anybody knows.

So I have a few questions, I hope I can get them to my friends over there. I understood up in Dell City the other day that the 100 foot flying level had been cleared and you had permission by the residents all the way from the river to Sierra Blanca to where you could turn back, is that so? I want to ask you that.

Now, I'm sure it might become a surprise to some of these people that they had given permission for that.

COLONEL HARGARTEN: Would you like an answer now?

MR. JONES: Yeah, I would like an answer because I think these people ought to have it. Does this come out of my five minutes?

COLONEL HARGARTEN: This map shows IR-102, 141 the low-level route. You can see Alpine, Fort Davis, McGregor Range up here. The term 102 and 141, 102 is flying at clockwise, 141 is just meant it's being flown counter clockwise.

Right now, the original proposal -- the whole route, as I remember it, was flown at 100 feet. Right now due to public comment we've raised the the altitude a little over 40 percent of the route to above 100 feet, and the sections that are shown in red are all modified routes that have been raised above -- above 100 feet.

The -- Up here, this is an older slide. In fact, Mr. King has the more current slide. There's a section that's just off of McGregor Range here. There's a low-level leg that was raised about six weeks to two months ago to 500 feet and the leg that comes into McGregor Range.

Does that answer your question?

MR. JONES: Yeah. Yeah. I was just told

that the parts you have in red that goes down to the Rio Grand River and permission had been received from Texas to fly that 100 feet.

COLONEL HARGARTEN: Okay. Some of these -- There's a -- there's a story behind all of these changes. The change right here on what we call the short route and this the long route, if they come all the way down here, they take the short route. They hang a right or a left and they cut across right here on the short route, if you here me referring to that. These changes here actually -- these changes right here were due to discussions with the Border Patrol. The Border patrol has a lot of --

MR. JONES: I heard that. I have a -- Don't sit down. I understood from the lady awhile ago that none of the ordnance would be armed. Is that a guarantee for the future that there will be never armed ordinances used on this particular -- on those targets up there on McGregor.

COLONEL HARGARTEN: I can tell you if they were going to put a live drop target, there would have to be further analysis. They could -- we could not do that on its own.

MR. JONES: Would you -- would you do it

AP-15

with an ES or would you have to come back with an EIS?

COLONEL HARGARTEN: I would think that would be -- I'd have to turn it over to a lead back for any opinions.

MS. PARKER: I would think that the potential impact from -- from going from inert ordnance to a live drop would highly require an EIS.

MR. JONES: Okay. Thank you.

And do we also have assurance that there would never be changes in flight numbers and configurations?

COLONEL HARGARTEN: We went above the numbers -- I have another slide for if you if you'd like me to show you.

MR. JONES: No.

COLONEL HARGARTEN: I have another slide with the numbers that have been analyzed in both in the EA and EIS for this route. If you were going to go above those numbers, there would be -- have to be further analysis.

MR. JONES: Okay.

COLONEL HARGARTEN: That's a short answer.

MR. JONES: I have two comments, no more questions for you, so you can sit down.

COLONEL HARGARTEN: All right.

MR. JONES: We checked a little bit and we found out that this type of training with the German Air Force and some of the others was being done in England and they flew out over the ocean and came back into the British lands to land, and the noise was so bad that they kicked them out over there.

Then in Germany, the original intent to train the German pilots was in the republic of Germany and then they stopped that because of the -- the -- of the problems that the population was having.

We also understood that the same thing was happening Virginia, so, I guess, the -- my comment is, and I made it before, a lot of these people heard it, is that you're dealing with a situation that has been unacceptable in other places and now we get it. I think that's not too good and we feel like, and I kind of represent the Otera County ranching community up there, that we have -- if this goes any further with it, we have very little choice except to file an intent to sue for violation of property rights and all those things. Thank you.

JUDGE HEUPEL: Thank you, sir. After Mr. Simpson will be E. C. Locklgar.

MR. SIMPSON: I just have one quick

question to clarify the 65 decibel level that you were talking about. What units of time is that you're talking about?

MR. PARKER: Unit they were using for the 65 decibel was over a 24-hour period.

MR. SIMPSON: Okay. So, it's 65 decibels per day not a continuous level over 24 -- of an average of --

MS. PARKER: It would be an average.

MR. SIMPSON: Okay. So --

MS. PARKER: Nothing was -- nothing was higher than 65 decibels.

MR. SIMPSON: Okay. So that --

MS. PARKER: I did not say it was at 65 decibels.

MR. SIMPSON: But there could be many events much higher than 65 decibels, but the average would still turn out --

MS. PARKER: And I will -- and I will tell you that when the aircraft flies over, it will not be below 65 decibels. That would be considered a single event level.

MR. SIMPSON: Yeah. And just so people know, the threshold for pain is only about 100 and 110 decibels. So if you have very many events over

a 24-hour period that would make it average out to 65 decibels, you're talking about some pretty high level events, so. Thank you.

JUDGE HEUPEL: Thank you. After Mr. Locklgar will be Louis Woodward. Mr. Locklgar.

MR. LOCKLGAR: Mr. Chairman, like a lot of people here, this sometimes hit me pretty hard both ways. I served in World War II and they asked me to come back to Korea and I did.

It's not a lack of patriotism or a love for my country, but the horror stories from a lady from Langley gave us about New Mexico, I don't want it. We don't need it. And it's not necessary.

The Bureau of Land Management owns hundreds of thousands of square miles. I ask the question, why don't they use the Bureau of Land Management's and the federal lands? AP-16

My congressman told me they refused to allow the Air Force to do it. I think she gave an exceptional report on the Environmental Impact Statement. I followed it just as close as I possibly could, and finally the last 10 seconds, you just scooped over what you were going to do with us.

Colonel, I understand that you are a member of the Judge Advocate Chairman's Office, if you were in

a civil trial, sir, you would have lost your case. Thank you.

JUDGE HEUPEL: Thank you sir. After Louis Woodward -- is Louis Woodward here? Oh, okay. After Louis Woodward would be Howard Chamberlain. Mr. Woodward.

MR. WOODWARD: I can relate somewhat to my predecessor here at this stand. I see he's growing up through his gray hair, and I'm growing out through my shirt. I at one time was part of the military. I consider myself pro-military, conditionally. I certainly don't approve peeking into bedroom windows.

Several years back in the second armored cavalry, and I don't think it's in the Air Force, I think -- anyway, they needed a -- in Central Texas, Hood, I believe it was, they asked and received permission to establish temporary camps on my ranch for an extended military training, and I neither asked nor received compensation. They did -- they did indicate if they did anything serious they would reimburse me.

Along that line, if it had been a company that was a private firm that was exploring for minerals, I would have insisted and they would have complied

with my requirements to build a diversion dam to where they make temporary roads to help the environment to prevent erosion.

Concerning these overflights, I'm concerned about the domestic livestock and game animals when they are very young.

In the early 40s, the very early 40s I might say, it might have been up here on the hill. I wasn't kicked out of very many colleges, but I did attend Sul Ross here, in economics 101, page one, the professor said that there was a strain that goes from your heart to your pocket book.

AP-17

Well, that works in everything including the low-level flights that might jeopardize domestic livestock and game animals. We in this area receive some pay for the -- for the hunters that come out and pay us to trespass on our land and to -- that is a -- have quite a impact on our bottom line.

The gentleman from Dell City, and I feel the same in some respects, my family has sheep in Dell City. In the winter they graze in the alfalfa fields, and we are concerned they might at low levels, tend to make the sheep run and just a little -- there's an electrical wire and they just might run right over there.

There's at present, and as a matter of fact within the last week, there was an airplane -- a B-52 come over at night, right over my head. How did I know it was a B-52? They come just to one side of my house to the east and they have for years.

There's another high-powered B-52 -- I don't know if it's high-powered, but I don't know -- whatever -- Dyess Air Force Base come over and I complained several years back and ask them to move over and they did. They said they'll be back to me, but they wouldn't go -- and they moved and didn't need to get by.

And a few years later, which was two or three years back or maybe less, there was a B-52. They don't come over too often, but sometimes several a day. They got a little close to my house. They had been flying these similar to these fighter planes and I called them.

There had been a crash, I believe, with a B-52. It was probably based in Louisiana, and I expressed my sympathy for those involved and requested very politely if they would move their flight. I gave them the -- the latitude and longitude of my house and down to the degrees, minutes and seconds as best I could from the map

that the meter company people had left out there.

They were nice and said they'd get back. They didn't get back to me by phone or anywhere else, but they did move, but they're coming back a little bit, like I say, within the last week the B-52 has come right over my house.

And as far as -- I don't care who's flying the plane, that's -- I don't really, really care. One time I was physically opposed to the -- considered reciprocating, if you know what -- what I mean.

I am a patriotic -- patriotic, but I do have reservations about not being -- showing me the courtesy to return my call and telling me that they can do what they could. They did help by moving over further for a little while.

And incidentally this is in the past now, we're talking about in the future maybe I'm out of order here, but if I may, Colonel, do you have one of your Lieutenants that's a navigator?

How far east would you go? Will you go as far as in 105 degrees west latitude or will you go north as far as 31 degrees north longitude in this German operation? If it's that way, it would be several miles.

JUDGE HEUPEL: Can you give those

coordinates again and we'll see if we can get an answer and get back to you. What were the coordinates you're giving?

MR. WOODWARD: 31 degrees north longitude, 105 west latitude. That's where I live, but I do have livestock in some other places. In the those over flats like Mr. White, I believe it was, said he had problems with the fences. I -- I don't go out there and be on my whole ranch at one time every night or every day, but twice including one incident within the last three weeks in my own mind I know the low flying aircraft because the live cattle will run up and tear up the fence.

Another time in the past I know they did the same thing again. I neither complained or asked compensation from the Air Force, but I think they should -- I think the Air Force should consider that and give us if we ask for it a fair hearing and possibly compensation. It's hard to prove, but that's the way I feel about it.

I thank you for your time.

JUDGE HEUPEL: Thank you, sir. Just a moment please. Go ahead.

MR. KING: Sir, just -- you mentioned the 105 and 31, I believe it was, the route goes to

about 103' 50" on the east, it is well east of the 105 line and it goes down south of the 30 degree line.

JUDGE HEUPEL: And after Mr. Chamberlain will be Susan Curry. Let me ask -- She had possibly -- Susan Curry do you still want to --

MS. CURRY: Yes, sir.

JUDGE HEUPEL: Okay. You'll be next, ma'am.

CHAMBERLAIN: I'm Howard Chamberlain. My viewpoint is very narrow right now. I don't have the agricultural in this area yet maybe later.

That is the use of airspace. I'm a flight instructor. I have been a flight instructor for a little over 33 years I guess now. My wife is the same. We're used to training people.

The problems of the military routes, which we've lived with for a long time. Our standard procedures to get student bodies, I'm not talking about a well-qualified person, but somebody just barely able to hang there in the air, sort to speak, to get them through these areas is to go underneath them.

All right. I don't want my student pilot running at 100 feet. I want to get them away from

there. With the way the airspace modifications have been proposed, I can understand the military reasons for it, I'm not opposed to that, but I think something needs to be thought more clearly about this potential conflict.

Looking at the figures that are -- the pictures that were up there a minute ago, we're going to have to penetrate that route to go to El Paso. We're going to have to penetrate that route to go almost anyplace else.

It's a rare training airplane that can get to the kinds of altitudes that are necessary to get over the top of those routes.

Our own airplane is going to take at least 10 to 15 minutes to get that high to get over that. I don't think it is a safe mix. I'm looking for a, maybe this is too early, but I'm looking for some plan to maintain the safety issue between the potential conflict, between civilian aircraft and military aircraft.

In this area, to my knowledge, civilian air route traffic control doesn't go anything below about 12,000 feet except in one very limited area, I maybe wrong in that number, but they don't go way down. Certainly not down to 100 feet or somewhere

near that.

We have no good communication -- real-time communication that can be used. Saying something is hot is a two hour notice. I understand why it's done that way, but that doesn't help the person who has got a transition in that area. Just has no choice in the transition of that area. We need more complete information.

JUDGE HEUPEL: Mr. Chamberlain, before you sit down, let me just ask this question. Where specifically are your students flying out of?

CHAMBERLAIN: Okay. First, I have no local students. I just moved to the area here about a week ago, and just found out about what is going on so I'm trying to catch up.

If I were to have a student, we'd be out of Alpine flying here out of Alpine. Is that?

JUDGE HEUPEL: I ask that question to help the people be able to --

MR. CHAMBERLAIN: I understand.

JUDGE HEUPEL: -- look at it a little bit more when they're looking at your questions to provide answers.

MR. CHAMBERLAIN: Basically, we're surrounded.

JUDGE HEUPEL: After Susan Curry will be -- Nope. He already spoke. -- will be Kathleen White.

MS. CURRY: Thank you, Mr. Chairman. My name is Susan Curry and I live in Alpine or outside of Alpine, in the mountains in an area called Sunny Glen.

I am talking to specifically say that I definitely object to the flight patterns that you have here. For many of the same reasons that everybody else has spoken.

This is an issue that is totally nonpartisan. You're going to see people from all walks of life. From the ranchers. From those who are in tourism. To the retired folks that have moved here for the peace and quiet. All of the people who are going to be speaking, they're going to be very few who are going to be wanting this to be here.

But what I see is the biggest problem is that what we are experiencing is a very cumulative negative impact. It is not just the 12 Tornados or

AP-18

Tornados that are already going to be subjecting us to the noise levels that are ear-piercing at this point, but to add 30 more is just kind of like "Well, we've already got this. Let's go ahead and

we can do the rest because the lines are already here."

Last year when people spoke up and asked about the 12 that are already scheduled now even though they were vast objections to that, nobody said anything about 30 more. That is why when somebody says "Well, what is going to happen after these 30 are on? What's going to happen now that you have a new set of buildings there to structure for more and more and more?"

AP-18

The objections that we place, we feel like we have -- we really don't have a voice, because it is a done deal. And this something that I'm hearing from many of the people in the community.

The reason why we feel this way is because all of the experience -- of the experiences of those who already are subjected to the noises can not be positive results.

They have found that even though in -- At the hearings, we're hearing "Oh, we want to hear your voice be heard. We want you to give us your problems." Yet when that happens, nobody gets any kind of results that are favorable to what their problems are, and we just simply feel like our voices are not heard. Mainly because it is a vast

area and there are very few of us in this beautiful rugged land to make the votes count.

We are not expendable commodities. We are human beings and we really don't want to have this be another problem set on top of other problems that we have, such as the sulphur dioxide problem that is coming from the carbon one and two plants, such as the sludge that is blown in to the -- from the west into the east and we're getting -- we're downwind from sludge from New York, now we have a proposed nuclear waste dump that is going to be two hours upwind from us and above up water way from us.

These are all problems that when one group gets in and says "Well, we've already polluted this much, why don't we go ahead and do it more?" This is what the people around here are feeling and this is the frustration, and we hope that you do listen to our pleas and look at what we're saying and realize that it is a very definite impact on all of us.

Thank you.

JUDGE HEUPEL: Thank you. After Kathleen White will be Daileen.

MS. WHITE: My name is Kathleen White and my family has ranches in both Jeff Davis and Presidio County south of highway 90 and outside of

Marfa. All of which I think are of the proposed low-level training flight.

My quest -- I have some clarifying questions and part of it pertains to the EIS, and they have to do with property interest as they extend in the air. Which to my knowledge there are some. They do not extend indefinitely, and to my knowledge it differs from state to state usually not established by statute, but in case law and generally, nationally is what I've even been told, is that it is about 1,000 feet and sometimes -- and it's usually, as I said, in case law varying state by state. AP-19

My question is: How does this proposal or does this proposal and the analysis of the EIS address the property interests within the altitude of the proposed low-leveling flights and, therefore, on what basis are you invading that space which in some cases has been viewed as just plain trespass issue?

Perhaps there's a broad national security umbrella in which the Air Force operates and is immune to that, but that's my question.

MR. PATELLA: I'm Mike Patella. I'm an attorney at Holloman at the Base Legal Office and you did state the law fairly correctly. There is no limit -- there is -- You don't own to the ceiling to

the infinity.

FAA Regulations set a 550 feet limit per structure, but just because they fly over 500 feet doesn't mean you couldn't bring a tort suit --

MS. WHITE: For a non-trespass?

MR. PATELLA: For for a trespass. Just a regular --

MS. WHITE: Or nuisance?

MR. PATELLA: -- nuisance or if it was often enough. So those would be options to --

MS. WHITE: Are those issues at all addressed in the Environmental Impact?

PATELLA: I don't believe so. That would have to be an individual case by case basis.

MS. WHITE: In any of the proposals before this program are the property interests for low-level flights over private land been addressed? I mean, is there any kind of analysis or documentation by the Air Force to which you could address me to for that issue? It seems kind of like an obvious question.

AP-20

MR. PATELLA: As far as I know, I didn't work on the EIS, but it is not.

MS. WHITE: Okay.

MR. PATELLA: As far as I know, those

particular questions are not addressed in the EIS. Most of the law in this area is developed out of case law with individuals like yourself --

MS. WHITE: And vary state to state?

MR. PATELLA: Yeah. They do very vary to state. I would imagine they vary judge to judge as well.

MS. WHITE: A related question. You might -- I don't know whether you'll be -- want to answer it or not. Does the EIS in, and think it would come under the category of socioeconomic impact, address the question of property damage and what is the burden of proof for that?

I mean, there's a lot of questions like that, but can you answer the question if I feel I have substantial property damage because of low -- these low-level training flights, how -- what is the burden of proof?

AP-21

JUDGE HEUPEL: That could not be addressed. That would not be addressed in the EIS itself. That is not the type of thing that an EIS is set up to cover.

MS. WHITE: But socioeconomic impacts, I would think would --

JUDGE HEUPEL: Socioeconomic impacts are,

1P-21

but when you start talking about property rights and legal -- legal rights, it's not a mechanism to advise people on what their rights would be, in other words, how they could proceed.

MS. WHITE: Let me rephrase my question then. In that section of the EIS as it deals with potential socioeconomic impact, have you addressed damage to property from the low-level training flights across West Texas?

COLONEL HARGARTEN: The only statement -- There is a statement in the EIS that there is no study done, correct me if I'm wrong here, there is no study done, that we are aware of, that assesses property values as they relate to an MTR. For example, if I owned a ranch, I would want to know whether an MTR or a low-level went across my property, I would like to know what does that do to the value of my property?

MS. WHITE: I'm talking about a $10,000 bull that hangs himself on a fence. That kind of potential property.

MS. PARKER: What I'm looking at is you're looking at potential environment impact from loss of property that would include structural -- that would include personal property.

To realistically try to analyze the total impact of the environment potentially you have a $10,000 bull, a $50,000 structure. That would not be physically possible in the environmental statement.

MS. WHITE: But basic economy, at least a significant part of the economy over which these low-level training flights are proposed is livestock production and figures from the Texas Department of Agricultural on general cow numbers and average price and all of that, I mean.

MS. PARKER: In that respect, the actual -- the section that involves noise does look at potential impacts to livestock and it does reference studies that have occurred, and I will as a side note, tell you that the Air Force is currently involved in a study, and it's not final, relating to property values and overflights. It's in the draft stage. I don't know if it's in the preliminary draft or the draft stage, but I work alongside with one who is involved in that.

MS. WHITE: Is that going on in Holloman?

MS. PARKER: No, is not going on specifically at Holloman. I believe what they're doing is taking a more U. S. look at it, because it

would be dependent upon on various areas as to how the impact would occur, but it's not finalized.

So, yes, the Air Force is aware and they are looking at it, but there is not a final document yet.

MS. WHITE: Okay. Just in closing. I think I speak for more people than myself in saying this, if these low-level training flights were for reasons that we could really see as palpable immediate U. S. security reasons you would have a very, very different response. Thank you.

JUDGE HEUPEL: Thank you. Is Daileen the way you pronounce it?

MS. DAILEEN: Daileen.

JUDGE HEUPEL: Okay. And after you speak, Mr. H. John who is in the back will speak.

MS. DAILEEN: May --

THE COURT REPORTER: You'll need to speak up.

JUDGE HEUPEL: If you will get closer to the microphone, please. In fact, let me pull it up a little bit here.

AP-22 MS. DAILEEN: My name is Daileen and I live in Fort Davis. Two things I'd like to have addressed in laymen's terms is the noise and how it

AP-22 impacts us as human beings not decibels, because we don't have -- most of us don't know much about decibels and I'd like to know how the turbulence impacts us because when these jets come over at a low-level, if one of us happens to be in the way, the turbulence from the jet moving will also impact us. It's not just if noise that impact us, but the turbulence.

If you all will let us know this in laymen's terms and not a bunch of formulas or figures or things that we cannot relate to, I would appreciate it.

AP-23 JUDGE HEUPEL: I think I was asking the question here for them to try to do that here tonight would be rather difficult. Part of it also gets down to and part of the reason why it gets into the sciences is because what one person perceives another person perceives differently, but we'll have them to try to address that in the final EIS with you.

MS. DAILEEN: But could you have it sent to the newspapers, the Alpine Avalanche or the Mountain Dispatch, but something that will let the people know what this noise will do to you over a long periods of time, and if it's over our

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ambulances, for instance, what's that turbulence does to that square box that is running down the highway when one of these planes comes over the top of him and tries to knock him off the road, or also that radio telescope that we have, when there's somebody working on the radio telescope if it comes over real low, it's going to knock the guy off and deafen him, permanently?

JUDGE HEUPEL: Let's see. Mr. John.

MR. JOHN: I like to say my name is John. I was born, as I can remember, a farce but my nanny was a woman named Entienne associated to Marilyn Monroe. I'm also associated to the quickest war in history, and some of the others that I've seen.

I became -- I became handicapped by some means of a visit to a ship yard in Brooklyn, New York. An officer that looked somewhat -- How can I put it? -- Fred Astaire as a captive of monitor and I saw him again before the hearing today in a subway.

So my accident is so evolved that it -- it evolves everyone here. Gentlemen of war, gentlemen of peace, because my lawsuit is so evolved that the wealth of, somewhat, this nation, this world is -- is a (Inaudible.) -- of manner because you must persue as I am by means and every means

possible, but what I've seen to help my life as a handicap for 10 years, close, that communism exists within a society.

This nation which I truly hold in the highest regards as a Heisman Trophy winner also in my years of second grade as phenomenal athlete of somewhat, but without the mental of a personalized spirit to live my outs of the way --

I'm a noble man. I read and write as I learn -- as I perceive I remember that I learned from the second years to -- of Saint --

THE COURT REPORTER: I'm sorry, sir. You're going to have speak up. I'm having a difficult time hearing you.

MR. JOHN: (Inaudible.) It's a Catholic dial -- dia -- diocese, excuse me, but the things I've seen -- I've even seen people all over the world. First I remember my years, as I say, the second years of my -- the second years of elementary school speaking to Kennedy and someone signing me to (Inaudible.) -- school -- school -- a public school to -- to see the lavish --

UNIDENTIFIED MALE SPEAKER: You need to speak into the microphone.

JUDGE HEUPEL: You need to get the

microphone closer.

MR. JOHN: Yes. -- the lavish reports of visible, such as my proverbial school, my Catholic school which versus the public school city operates -- the government pays rather.

The difference in people are -- of color and understanding that, as I seen it, I was deprived in a way, because I was so intensely gratified that they -- the strength of Catholic school that I became a moral character to myself and to, somewhat society.

I -- I've seen people in trains. I'm the only one in New York City associated with (Inaudible.) With many -- Houston, Texas also and Dallas and all over the world, but I've seen people run by the trains --

UNIDENTIFIED MALE SPEAKER: What's your point?

MR. JOHN: -- of a phenomenal understanding with physical attributes that even to people that I speak to as a commoner have told me things that are missing in this transfer beyond -- beyond Australia, but the thing mostly I -- I really want to say is I believe this country should be the most strength and glorified as we are the guardian

of the world.

That is publicly written, and some things in history books are so poorly said that Hitler was the one that killed Damascus area of the bodies, but it was -- it was a -- a different Hitler totally and -- Churchill is a proper association to Hitler.

But I guess -- I assume all these men, as I categorize them, totally independent of somewhat Churchill, Hoover or Kennedy, some -- even Brisner, (SIC), but as you see the characters are so well-portrayed in difference to each other. They went to war, and that should not have happened, but -- so intervention exists within the United States in a classical way.

My name is Mendivendozo. I apologize. I haven't been more elaborate with you to circumstances. I believe civil war was about to erupt within this nation as mender also the pass war.

JUDGE HEUPEL: Your time is up.

MR. JOHN: Okay. Let me have one minute. Okay. How can I say? Well, I wish you all the best in the world.

Oh, I've seen the Salvador systems of refuge air -- aircraft, brand new aircraft, such as the

largest fueler in the world in California. I traveled back and forth and I've been all over the country, out of the area, Indiana, from New York to California, but it is frightening to me that these aircraft can be found around the world, but as Churchill -- I say to the Chinese and Japanese and all these people, I fear should be -- from this country and all foreigners.

Okay. Got to go.

JUDGE HEUPEL: Thank you. Our next speaker will be Lois Mac McCollum followed by Jim White.

MS. MCCOLLUM: My address is 505 South Lackey. If any of you want to discuss in detail anything I say I am available at least for a few days.

Now, they did mention, and another person mentioned it, that the approximate amount I think was 11 to 12 to 13, soon that will be 35,000. We're dealing with not the details that they gave us at the moment this choice of this or that, we're dealing with an invasion. Communism, the United Nations, the international bank, whatever you want to call it.

Over the years an old person gathers information and is able to correlate. The United

Nations is not of just people. There is great deal of evidence that we deal without outer space. Divide and conquer. Place one against the other, has been a method. The atomic bomb. The computer that you ask have on your desk, right now that's a toy but it is not new. It can control the minds of an Army.

Now, where this Holloman Air Force Base is concerned and White Sands, it really is not the American people. I am not patriotic, therefore, I can observe these things more from a scientific attitude, and we do need to gather information.

This involves every person in the military and every citizen because he will not walk across those little marks. The solider that is coming in, will control those marks. He will do as he is told. The citizen will do as he is told. He will not own land. He will be a human resource. Thank you.

JUDGE HEUPEL: Thank you. After Mr. White will be Bryan Kelly.

MR. WHITE: My name is Jim White. I live in Marfa and live on a ranch southwest of Marfa. Our family has been here since -- since 19 -- oh, boy that blew me, 1885. Over 100 years.

About 15 years ago the Air Force came to the ranch, a Colonel and a Major. They drove up in a

pickup and said, "We want to talk to you about a proposed high-level flights." We talked to them. Sounded good. We wanted our men trained. We supported them. Our family supported them. My neighbor supported them.

They were up high, real high. You could see a little streak across the sky, but occasionally they'd -- they'd boom us pretty good. You know, we'd rather hear that than a bomb from Russia and that was a hazard then.

It's changed now. You're not good neighbors anymore. You've mislead us. The front end of this meeting and I heard nothing horrible what looked like economic advantage to an area in New Mexico. The impact, the economic impact, on an area in New Mexico that was already impacted and we were told "There was an impact, but, we'll clean it up."

About a year ago you were over here and we met in Fort Davis, and we went over some of these same things the same as we are going over today.

We've suffered loss. If you talk about the economic loss, we might lose from a horse or a cow or a group of horses or cattle. The burden of proof would be on us, and how do you prove it when they do it at night or they do it 20 miles or 30 miles from

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the headquarter ranch, how do you prove it? You're not going to be able to prove it, and we certainly wouldn't get any support from the Air Force to prove it.

I asked about a question in Fort Davis almost a year ago, have you studied the structures that are on the ranches, the height of them above the terrain? "No, Mr. White we haven't done that but we intend to do it." I said, "Would you do it? That some of these structures are up pretty good."

We have 18 structures on one ranch that stand 40 to 60 feet above the ground, and you're going to fly 100 feet above them and that puts them down 40 feet from them.

In the last 12 or 14 years we've lost three windmills. No wind. We don't see those mills maybe once in ten days, two weeks. No wind. No storms. The windmill is torn up. There is no way we can prove it. We accept it and we have, and we paid the bill.

There was man in Fort Davis and he was going to is answer my questions, but about how they were going about these windmills and powers that may be above the surface of the wind and he said, "But we're going to look at it. We're going to take that

into consideration."

I assumed it would be in a -- some kind of analysis. What would happen to a windmill if an airplane passed within 40 feet of you? The water sure would backlash or whatever it may be termed. It would tear it up. You know that.

AP-25

You also know that I don't believe you people have much control over these pilots when they're flying 350 and 400 miles at 100 feet above the ground. You're not in radio contact, I mean, in radio contact with them, are you? That's the purpose of it, not to be in contact or the enemy to be in contact with them, correct? No answer. That should be addressed.

I was surprised to hear all this economic incentive and how it's going to help out Alamogordo. It sounded like a Chamber of Commerce talk. That doesn't really bother me, but I came here to see what they were going to do about our area.

AP-26

They addressed it in a very brief four or five seconds. There will be some noise in the Valentine, Marfa, Fort Davis area. That's the Environmental Impact that they recognize.

We've lost 12, 14 heads of mares one time. They run over the fence in the middle of the night.

Airplanes were flying that night. We didn't know they were hurt. We didn't see them four or five days. It never occurred to us that we better get over there. We were working on the other end of the ranch. After we found them, maybe the Air Force did it. Maybe something else did it, but I think the Air Force did it.

Your pilots, these youngsters, they're suppose to be daredevils, and they are. They see an object, they'll run at it, they'll challenge it.

If we take time to go back and count since World War I, how many herd of cattle and sheep and

AP-26

horses these little daredevils -- The guys have been trained them well. Well, they'll zoom you. They'll buzz you. They have, but I was sold tonight by the same man that said we're going to find out about these objects above your land and we're going to identify them. We're going to try to move away from them. This was a year ago.

I asked him tonight and he said "Well, yes, I kind of remember that," but he said, "Nothing has been done about it." He told me they'd write me out a letter. There was no letter.

I think that you'd better cut us some credibility if you're going to deal with West Texas.

AP-26

You're patient, and I appreciate it. Thank you.

JUDGE HEUPEL: Thank you, sir. We'll make sure there is something in the final report.

After Mr. Kelly will be Gloria Evans.

MR. KELLY: My name is Harold Kelley. I live about 12 miles south of Alpine. I just have a series of questions I need to ask you in order to make a decision among a group that I represent. The group I represent is a whole bunch of people like myself who, if it weren't for electric power and telephone and computers and so forth, we all would be in Dallas or somewhere else.

What I'd like to know is on this Environmental Impact Statement or this whatever it was that you do, on these when you start to decide this, why wasn't there a social economic impact section of the one that we had here over the -- I think it's the modification changes that you're going to make? It was completely omitted from the -- well, the impact statement that we had.

JUDGE HEUPEL: I'm not familiar with what's available -- the other one you talked about. Is the other one you're talking about the environmental assessment?

MR. KELLEY: Yes, the environmental assessment.

JUDGE HEUPEL: To my belief, the socioeconomic impacts are not done on environmental assessments. The Air Force has been doing them even though in the past they weren't required of doing them on environmental statements, but correct me if I'm wrong, I'm -- I don't -- I'm not aware of them being done on environmental imp -- assessments.

MS. PARKER: (Inaudible.)

THE COURT REPORTER: I can't hear you.

JUDGE HEUPEL: She says she was not the project manager for the EA, so she doesn't know.

Other than that general thought, the best that we can do is to have it addressed in the -- try to address your question in the final EIS.

MR. KELLEY: Well, the reason I ask is obviously it's going be very negative to this area and I thought you possibly left it out on purpose, but I'm sure you didn't.

I have another question. Would you explain the training of the jet aircraft pilot has in an event of a engine failure flying 100 feet off the ground at 550 miles an hour.

COLONEL HARGARTEN: The question was in

the event of loss of an engine at low altitude, what procedures does the fighter pilot have.

All fighters have a minimum air speed that they maintain when they're at low altitude, and the Tornado happens to be 400 knots. So the purpose for that minimum air speed of 400 knots is just in case there is you lose an engine, you have a margin of safety where you can get safely away from the ground, maintain aircraft control, analyze the situation and take the proper corrective action to try to solve the problem you've got. And that's why they have the margin of safety.

Does that answer your question?

MR. KELLEY: Yes, sir. There's no way to know where the aircraft is going when he ejects?

COLONEL HARGARTEN: Say again, sir.

MR. KELLEY: You don't know which way the aircraft is going after the pilot ejects?

COLONEL HARGARTEN: We have procedures. If we lose both engines, most fighter aircraft have a procedure to do a -- there's both a controlled bail out and an uncontrolled bail out, and all aircrews would attempt, if they're able to maintain control of the aircraft, to point toward an unpopulated area.

We also -- usually we're pulling a nose down -- get the nose up so we can eject before we have a sink rate and, of course, we point towards that unpopulated area if we can control the airplane.

MR. KELLEY: Thank you. Another question I AP-27 have, this low-level instrument and low-level area here on combat training, taught at any other U. S. Air Force facility anywhere in the country?

COLONEL HARGARTEN: Your question was about low altitude intercept training or instrument training were you asking?

MR. KELLEY: Basically, towards the area of combat.

COLONEL HARGARTEN: The area combat training is done throughout the country, both by active duty and guard units and by Air Force, Navy, Marines. It is done throughout the United States.

MR. KELLEY: This this is at a 300 foot level?

COLONEL HARGARTEN: Well, we're talking about -- we're talking about apples an oranges here. I thought you were talking about air-to-air training. That is done throughout the country.

The sole is in low-level flying military routes. There are routes throughout the United

States. Basically, I suspect in every state. Would you agree, Mr. King?

MR. KING: Just about.

COLONEL HARGARTEN: Just abut. It's just a guess there.

MR. KING: There are a number of routes that are clear down to a low as 100 feet throughout the United States. I don't know if there are at every state or not, but there are a number of those routes.

MR. KELLEY: The -- the instrument training is at 100 feet; is that right?

COLONEL HARGARTEN: Oh, I know what he's referring to. I think what you're referring to is the title of these low-level routes or MTRs. There are VR routes and there are IR routes.

The IR routes can be found in instrument meteorological conditions. In other words, they can be found in the weather and they are de-conflicted from other IFR traffic or instrument flight rules traffic.

So I didn't understand, but that's what you were referring to by the IR rules, so there is a difference between the two.

MR. KELLEY: Right. Thank you.

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The reason I ask these questions, I have a lot of people that are interested in this from a legal standpoint. Is there another place you can go to do this training other than around Alpine and this area?

I like to know also, legally, these are -- mostly have to do with legal questions, would you give the Air Force's definition of proportionately populated?

JUDGE HEUPEL: That's something that will have to be addressed in the final EIS.

MR. KELLEY: I'll write that one to you then. Thank you very much.

MR. HEUPEL: Thank you, sir. After Gloria Evans will be Beau White.

MS. EVANS: My name is Gloria Evans. My husband and I live in Midland. We reside in Midland, but we have ranching interests in Jeff Davis County and family living there year round.

I strongly object to the low altitude flying. Not only for the reasons already discussed, the wildlife and the livestock, but also for other low flying aircraft.

My husband and two of our sons are just three of many private pilots who fly over the West Texas

area, and I don't mean for recreation purposes.

We have business interests in Alpine, Presidio, El Paso and flights to the ranch and back and there is no way that a private -- a small plane could maneuver to out maneuver these jet planes if they were both in the low altitudes.

These small private planes are ideal to fly over ranches. To check for missing livestock and multipurpose and there are numerous ranches and farmers who are private pilots.

Please, try to do your low-altitude training over White Sands. Thank you.

JUDGE HEUPEL: Thank you. After Mr. White would be Pam Spooner.

MR. WHITE: Goods evening I'm Beau White and I ranch the Valentine area. I'm Director of the Texas Southwestern Cattle Raiser Association, and I guess I'm some of my questions are going to be pretty easy for Colonel Hargarten.

The reason I'd like to direct my questions to you regarding the Valentine MOA -- How may flights a day might we expect?

COLONEL HARGARTEN: Under this proposal there is no Valentine sorties flown by the Germans or any aircraft in Holloman in the Valentine area.

MR. WHITE: None?

COLONEL HARGARTEN: That's correct. None.

MR. WHITE: Why are we here today?

COLONEL HARGARTEN: Well, if the EIS directive decision is in favor of the Germans coming, there would be no sorties flown out of Holloman down to the Valentine area. That's correct. You heard me right.

MR. WHITE: Well then, why do we have these flight paths at 100 foot low-level flight training passing this area if they're not going to be flying here? I'm confused.

COLONEL HARGARTEN: Just a second I'll get the map. You asked me about the Valentine --

MR. WHITE: I asked about the whole route area, not just the Valentine area.

COLONEL HARGARTEN: Well, okay. You asked me about the Valentine area. Okay. So, I'll answer about the sorties.

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MR. WHITE: Well, sir, let me rephrase my question then, sir. Under the proposed short track of the refueling and the red area there, how many flights might we expect a day in the southwest Texas area?

COLONEL HARGARTEN: Okay. A very busy

DEBRA JIMENEZ-THAMES, CSR
P. O. Box 865
Alpine, Texas 79831
915-837-1965

slide, but if you notice where it says IR-102/141. What this slide shows is this is the short route which we've talked about, and the long route. These are the number of day sorties, the number of night sorties under the environmental assessment of the findings with no significant impacts was recently signed last month.

MR. WHITE: And that's over a period of one year?

COLONEL HARGARTEN: Yes, sir.

Now if you look over here. If a new bombing -- if a new range is built, you can see a number of sorties that would have been flown and would be approved right now.

Now, there's final coordination that has to be done with the Fish and Wildlife and the FAA as was eluded to in the briefing, and the number of sorties are shown right here.

What that works out to is right now under the EA, we're talking about, there's about 250 fly days a year. We're talking about two and half sorties a day under the environmental assessment.

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If the record of the decision is favorable, the proposal of the Air Force is making on the EIS, we're talking about going up to four and a half

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sorties a day on IR-102/141 which goes around the community of Alpine.

MR. WHITE: And then currently you also said that over 40 percent of the low-level flight area there would be raised over 100 feet. How high high over the 100 feet?

COLONEL HARGARTEN: That's correct. There is some -- It varies in all different sections. There are some sections that there is 1,000 feet. There's 500 feet. There's 250 feet. There's agreements with nighttime versus daytime. All --

In other words, we didn't go over tonight, but there's actually a number of places in that proposal that if we have time later, we can go over where you can see we moved the route based on public comment last summer. There was a whole section of the route that was moved entirely. The whole proposal changed based on public comment both in altitude and in location of the route.

MR. WHITE: In what speed might these plans be flying in an average speed?

COLONEL HARGARTEN: I would say the average speed would be between 420 and 480 knots.

UNIDENTIFIED MALE SPEAKER: What is it in miles per hour?

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COLONEL HARGARTEN: That was in knots.

UNIDENTIFIED MALE SPEAKER: What's in it in miles per hour?

COLONEL HARGARTEN: In miles per hour, I don't know the conversion.

MR. WHITE: Would it be fair to say 500 miles an hour?

COLONEL HARGARTEN: Yes, that would be good.

MR. WHITE: In talking to you, Ms. Parker, probably. You can probably answer this question. How loud in decibels -- You know, you're talking about an average sound noise over a 24-hour period, you know, if you had one hand in a pot of boiling water and another one in ice water, the average temperature is okay. Averages don't mean anything sweetheart. They're wrong.

MS. PARKER: If anybody has a copy of the Draft EIS, they give the single event levels based on various altitudes for various types of aircraft. So if you were to have had a F-117 fly over depending on which altitude it is, it will give you the maximum a weighted sound level or your single event level.

Depending on what type of aircraft it is, there

are various noise levels. So if you want the single event levels at 500 feet of a Tornado, it's 102 decibels. That's a single event level. That's the noise that you're going to hear at that particular time if flying overhead if you are directly underneath that Tornado aircraft.

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MR. WHITE: Colonel, could you tell us -- compare the decibels of the Tornado as compared to a 747 at the same flight level?

COLONEL HARGARTEN: No, I wouldn't be able to do that. In fact, that analysis is not in the document.

A side note. I heard an earlier question about what do these DBs mean? There is a chart in here that we can look through that puts it in laymen's terms.

In other words, what is that noise level out there when you heard the train going by? How many DBs is that? How many DB is that, etc.?

There is a chart in here that is very detailed and I find very useful because I also agree the DB levels don't mean that much. If you can't compare it --

MR. WHITE: Averages sure don't.

COLONEL HARGARTEN: But there is a chart

in there that answers your questions as far as -- That's what I use.

MR. WHITE: Colonel, might it be possible to get a flight order in this area so the public might experience and have public officials in the private sector say at the Marfa airport to have an aircraft fly over at 500 feet and 1,000 feet and 500 miles an hour?

COLONEL HARGARTEN: Well, I'll answer that question. We have written a letter to a private citizen offering to do that, possibly as early as two weeks from now on McGregor Range as part of a normal mission, of course, we cannot violate our own regulations and fly over you at 500 feet.

We can fly over you offset by 1,000 feet down to 100 feet off the ground, but if the vehicles are parked there, we have planned to do that here in the near future for some ranchers that live to the east of McGregor Range. We're trying to arrange that.

I think that would be possible to get the word out down here. If some citizens would like to come.

MR. WHITE: We would be welcome to travel at the Air Force's expense to McGregor Range?

JUDGE HEUPEL: After Ms. Spooner will be Dick Hughes.

MS. SPOONER: Good evening my name is Pam Spooner. I live in Alpine and first I'd like to do a little business with you.

On a professional level I'm a reference librarian at Sul Ross State University. I see by your list of libraries in some towns where there is a university, you've provided the university library with an Environmental Impact Statement. You did not do that at Sul Ross.

You are probably not aware of the financial restrictions that are afforded the public library. They don't even own it at lunch time.

AP-33

Who amongst us have been to the library to see the environmental statement? Do you see? There is a lack of information provision here.

I believe, someone at the very beginning talked about, it would have been nice to see documents before we came this evening. So I'm asking you to please provide me with an Environmental Impact Statement that could be put at the library at Sul Ross. We're open way more than twice the hours of the public library here and that would be accessible to the public. Okay? Now my fun starts.

JUDGE HEUPEL: No, it already started.

MS. SPOONER: I'd like to know if it has

been reported that this is a done deal? Is this a done deal?

JUDGE HEUPEL: You already got an answer from Mr. Johnson on that earlier. If you recall when --

MS. SPOONER: I didn't hear it.

JUDGE HEUPEL: -- when he started at the beginning he said, "This is not a done deal, and that's why we're here tonight."

MS. SPOONER: So there is, I would like for you to go on the record, there is a possibility that all of this we've heard tonight will not take place?

JUDGE HEUPEL: There has to be a possibility. It would be a violation of law if this were a done deal.

MS. SPOONER: You heard it. You heard it. Okay. Then I'd like to know --

JUDGE HEUPEL: It may still happen.

MS. SPOONER: I know, but I know how you folks are. You were told to be here tonight and I understand this is your job, and so I'd like to know, where does the buck stop? Who will sign off on that last document that makes this a program that goes forth? Who's the signature?

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MS. PARKER: At this point because of the proposed action does involve international aspects, we're looking at the Secretary of Air Force level.

The case may occur where she designates responsibility down to a lower level, but right now we're looking at Secretary of the Air Force.

I will also tell you that there have been other proposed actions that the Air Force has been involved in that the decision has been left and on the desk of the Vice-President, so depending on a particular action, the decision is made at various levels. Right now we're looking at the Secretary of the Air Force.

MS. SPOONER: And, although I am a reference librarian and I can look it up, who would that person be?

MS. PARKER: Secretary Windnall.

JUDGE HEUPEL: Sheila A. Windnall.

MS. SPOONER: Who?

MS. PARKER: Sheila Windnall.

MS. SPOONER: W-I-N-D --

MS PARKER: N-A-L-L.

MS. SPOONER: Okay. Thank you very much.

One thing we talked about earlier was the cultural resource. Okay. That there would be no,

pretty much, no impact to the cultural resource. And others who have spoken before me have spoken very eloquently, but I think perhaps we should repeat that maybe the largest attraction of this area, the biggest cultural resource is peace. Peace. And we value our peace.

I know that you are in the military and that peace is not what you're about. You're about war and we appreciate your job that you do, but we're about peace out here and we would like to preserve our peace, and I'm sure we'll be writing lots of letters. Thank you for your time.

JUDGE HEUPEL: Thank you. After Mr. Hughes will be Bill Addington.

MR. HUGHES: Thank you. My name is Dick Hughes and I represent the Hughes Cattle Company with ranches in Jeff Davis, Presidio and Culberson counties here in Texas.

Your proposed sorties and refueling area covers our ranches which are on private land. I feel strongly that this proposal will create serious threats to human, animal and natural resources.

I strongly suggest you reconsider using this location and train over government owned land and not privately owned land. Thank you.

JUDGE HEUPEL: Thank you, sir. After Mr. Addington will be Imogene Chamberlain.

MR. ADDINGTON: Hello. My name is Bill Addington. I'm from Sierra Blanca, Texas. We have the Guerra Ranch and a farm there below Sierra Blanca, south 16 miles on the river right where y'all will be flying over.

I came today because I don't know if I'll be able to go to Dell City tomorrow. I understand you'll be in Dell City tomorrow, so I did have one -- wanted to come by today from Sierra Blanca to speak about what is already going on.

At the public meetings you have had last year and this year, I've talked to the Colonel and complained before of the existing Air Force fly overs. I assume they're Air Force. They're fighter aircraft directly over my home and my business in Sierra Blanca.

Since I've complained to the Colonel and -- at these public meetings about the existing low-level fly overs over our business and home in 1996, it's increased nearly double to, I would say, there below 500 feet, way below.

Sometimes groups of two or more fighter aircraft that looked like F-111s, I was told -- I

took some pictures so that I could identify them more properly. I'm not a -- I just know they're fighter aircraft and I am keeping a log of the dates and times and noise levels that -- and positions. Sometimes they're flying sideways over our store so low you can smell the jet fuel or the kerosine burning.

When that happens, I can tell you that -- for those of you who have that experience, I know a lot of ranchers that have lived here for a long time have experienced low-level fly overs, but this is something of a year or two for me to experience one, and I can tell you that any animal around will just definitely leave for a couple of hours. You can see it. They'll just take off, and I think that's very disruptive of our way -- of our raising our animals or livestock, cattle. I've seen cattle on our farm leave, stampede and leave kind of.

AP-35

I don't know if there are any damages yet that I know of, but I'm sure there could be if there's any fence around where they run into it.

In the Eagle Mountains -- I haven't read your environmental analysis yet. I would very much like to. I understand it's at the library in Van Horn, 30 miles of where I live. The environmental

assessment, I don't know if it addresses this. I try to understand why. You're flying over the Eagle Mountains which I have seen personally jets being -- crashed jets being pulled out, which I've said that to at public meetings before, and, of course, I saw a flash of light when the B-1 crashed into Valentine. I could see that from Sierra Blanca late at night, so it's quite scary to me when to -- when I see these existing Air Force jets flying over my home and knowing there have been crashes in the Eagle Mountains and I've seen parts being pulled out of the Eagle Mountains and, of course, the B-1, so I know the odds are maybe great, but when you live in a house that these jets fly over, it makes you wonder if one of these jets could fly.

I think I've seen about every type of jet over my home that you guys have except maybe the Stealth Bomber and perhaps I'll be seeing that soon.

I think this mountain range is a very sensitive area. There is a threat and danger to plants and our animals in the Eagle Mountains. I mean, whenever we want to do something on our property and they bring up endangered species, but when the Air Force does something on our property or above our space, which is our private property and believe me, I can't help

to agree with a lot of our fellow ranchers but I believe that's attacking when you're flying that low over a property. When you're impeding our ability to make a living with our life-style, and I'm --

This is more -- I'm supposedly told by the Colonel, you're suppose to be well over Sierra Blanca of it being a populated area. I don't know if you all consider that a populated area. There's 650 people there.

Just the last time I think it was June -- July 1st, two jets came over my house since I last complained, July 1st, and I just -- two -- two jets in rapid succession, and I just -- I really feel that there's an assault on our property values, our property rights.

People move to West Texas because it's clean and quiet. It's been said before the jets that you're forcing on our area along -- Yes, I live in Sierra Blanca with the State and the Department Energies Department involvement with the nuclear and hazardous waste. I mean, I heard the arguments about why you need to fly over. I can relate to it. It's because of -- to protect freedom.

Well, I feel I'm very patriotic myself along with some people here but I think that excuse kind

is wearing thin when you're importing these types of things into our homes and it's impacting our ability to make a living.

You know, this argument to protect democracy, I in close, I believe in my country as much as anyone else, but there is no democracy when these things are forced on us. Nuclear dumps, sludge dumps, Air Force fly overs. Now you're saying 30 more. Where is it going to end?

I just want to go on record of being disgusted of the existing track record of the last year and a half, two years of Air Force fly overs, and you're not even suppose to be doing it. What's to stop to future German Air Force, Gestapo, whoever from doing the same thing and worse? I mean it's already happening and you're not suppose to be doing it now.

I respect your position, but you got to understand how living here at ground zero how we feel and it's quite disturbing and it's quite frustrating trying to hold down my temper. It's pretty hard.

JUDGE HEUPEL: Thank you. Imogene Chamberlain.

MS. CHAMBERLAIN: Well, I guess the bottom

line is I'm very disturbed from what I've heard tonight.

I'm just new in this area. I'm a flight instructor. I've flown for over 37 years now, and I've been instructing for about 35 -- I've been instructing for about 35 years. I've been a pilot for 37 years.

All lack of concern for the civilians is really getting me upset. I am new in this area, so I haven't faced some of the problems that some of the other people have, but I can sort of see how this maybe very disturbing.

I plan to do some flight instructing here, and I see a problem right now. I don't allow my students to get underneath a ceiling -- the 100 foot ceiling or -- In other words, your flight level will be 100 feet above the ground. I don't know how I'm going to get my students under that to avoid you people.

I don't know how I'm going to get them over that to get to Fort Stockton, to go on their little cross-countries or for me, I go to the west coast. I go to Canada. How am I going to get out of here some days particularly if it's high, far and radar does not carry down in this area very well because of the mountains?

AP-36

I find it -- well, anyhow. I find it a very disturbing thing and one thing that came up the 3rd of July, which is about four days ago, I was out in Sunny Glen two C-130s came gracefully over mountains from the west and down over the houses about 200 feet headed toward Alpine and broke off to the north and just having a good old time.

Now, if I as a civilian had flown over that residential area, I would have somebody reading my numbers and I'd be in trouble for just -- because I should be at least 500 feet over populated areas. I don't see why the military has to be free of these obligations that we are limited by.

I called Holloman Air Force Base to talk to a Mr. Bob Pepper and told him about the C-130s. He said, "Oh, those weren't from Holloman." I said, "Oh, well, they were Air Force." He said, "Yes, but they weren't ours."

Well, I don't know by looking at them who in the heck planes those are. They're Air Force. I don't think they're Navy planes out in this country.

And he said, "Well, I'll find out who it was." So far I haven't heard and really I guess it doesn't make that much difference.

But the thing is that our airspace is being

invaded and our -- if I wanted to go flying out here, I may be run down and I really worry about that because even though I move 200 miles an hour, I'm no match for a 600 miles an hour.

So these are really my concerns. I think this whole evening, this afternoon and evening, the whole experience for everybody here is to allow us to let off steam and I'm afraid, I hope this isn't true, but I'm afraid that's exactly what's happening. I think we are not being considered. Our complaints and our worries and fears are not going to be considered.

So I would like to have some feeling, as our librarian here says, is this a done deal or ain't it? I'm really worried about that. I hope you all people sleep well tonight. I know you're doing exactly what you're suppose to do, but -- but I hope your conscience don't bother you too much.

AP-37

MR. KING: After you spoke with Mr. Pepper he called me. We immediately started a search to try to find out where the airplanes were from. We believed they were from Dyess Air Force Base, however they were on a long mission and were not due on the ground until 1730 our local. Their airspace manager promised to get back to my office as soon as

he could. With Friday being a holiday, there was nobody at Dyess, but hopefully we'll have something tomorrow morning --

MS. CHAMBERLAIN: Yeah.

MR. KING: -- to know for sure. We do believe the airplanes were from Dyess.

MS. CHAMBERLAIN: Yeah. It is -- This is a residential area. There's probably about four houses to a mile out there and when you come over those mountains, even though you're on your feet, you sure as heck can't see all the houses in there. You shouldn't be able to swoop down and go coasting along.

MR. KING: I have flown in the area and I know exactly what you mean.

MS. CHAMBERLAIN: Yeah. So have I.

MR. KING: Yes, ma'am.

MS. CHAMBERLAIN: I've also flown to Germany and I think the Germans ought the fly in Germany.

MR. KING: We'll get back to you as soon as we know for sure what the confirmation is.

MS. CHAMBERLAIN: Thank you.

JUDGE HEUPEL: Now, that's all the cards I've got. Let me ask: Did anybody turn in a card

saying you wanted to speak, but I didn't call your name? Okay. I don't get an answer there.

Is there anybody that has not spoken that even though they didn't do a card would like to speak at this time? I'll give people a shot. Is there anybody else?

And while I'm thinking about it, let me ask the folks in the back whether there is a Draft Environmental Impact Statement that we can get for the Sul Ross Library? They're working on that. Okay. Good. So that at least we can try to remedy that.

Okay. I don't have anybody that hasn't spoken before that wants to speak, so what I want to do -- I want to thank everybody for your comments. You know, I know not much more about this project than you do. To say I haven't been involved with this. The only thing I can tell you is what Mr. Johnson told you is that there are no done deals because this -- we're doing this -- there's a requirement for us to do it and there's options to it, as to what option would be employed.

So it's a little hard to have a done deal when you got options to it as well. The Air Force is going to look at it. They're going to have to

listen to your comments.

The only thing that I'll tell you is I'll do what I can do within my limited resources, and I'm getting ready to retire but I can still do that and you've got somebody here from air combat command on the issue on folks not getting back to you when you call.

Now, sometimes as was just explained to you there's reasons why they don't, but if you call and don't get a response, you ought -- you ought to be to get a response. You got a right to get a response.

It is difficult with -- I know we wear the blue uniforms, so you don't know which plane goes from which base and so the bases have to work it out themselves, but I'll do what I can do to also up-channel some of that information to say people need to do some coordination out here because there are a lot of bases.

I used to be at Laughlin years ago and has planes flying out this area and they need to do some coordination to where they can try to -- people can be responsive to the concerns you got when the planes are flying too low, you can get that information out.

The public affairs number -- I think they may have been commented on earlier, but up in Holloman could I get somebody to give that as a start or a good place for a phone call?

MR. KING: Commercial number during normal business hours is 505-475-5406. We also have a 24-hour day number, which is our Holloman command post. You can do the same thing by calling them. We refer you call public affairs first during normal duty hours and they'll take care of it. If you do call -- need to call after post hours, it's 505-475-7575 and I personally don't care where the airplane is from, and Bob Pepper really doesn't either, it's just when he knows it's 1:30 it's not from Holloman, he knows that means you're just going to look other where for the airplane. He's not trying to dismiss your complaints at all, and we work these very hard. We attempt to get back with answers when we can. We get to an answer even if we can't tell you exactly what it was because there are some airplane complaints that we've had, particularly at night where people do not know the type of aircraft. Sometimes we believe they may be governmental aircraft, they may be working with the Drug Enforcement Agency and sometimes those people

will not tell us what they're doing.

So, we can't always answer every complain but we certainly will get back to you. Holloman will get back with you, and we're trying to work with some of the other bases to make sure they do the same.

UNIDENTIFIED MALE SPEAKER: Would you repeat the numbers one more time.

MR. KING: 505-475-5406.

THE COURT REPORTER: Can you say it a little slower.

MR. KING: Okay. 505-475-5406 or 505-475-7575.

UNIDENTIFIED MALE SPEAKER: What was the last four?

MR. KING: 5406.

JUDGE HEUPEL: So, hopefully that is one avenue where you've got some people that will try to work for your end to get back to you and work with some of the other bases on that.

Your comments are important, they have been taken down. They will be printed verbatim in the final record and the -- I guess, we'll have a copy of the Draft EIS at Sul Ross and I think a number of you, I know, have asked to get a copy of the final EIS and I'll ask that Sul Ross be listed as a

repository for a copy of the Final EIS as well so you can get that.

I just want to thank everybody for coming out and giving your input. It's a quarter of ten. I know it's been a long evening. I appreciate the court reporter she's done a great service. Thank you very much.

(Whereupon, the public hearing was adjourned.)

STATE OF TEXAS)
COUNTY OF BREWSTER)

I, Debra Jimenez-Thames, Official Court Reporter in and for the State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of all portions of evidence and other proceedings requested in writing by Holloman Air Force Base to be included in the statement of facts, and all of which occurred in a public hearing and were reported by me.

I further certify that this transcription of the record of the proceedings, truly and correctly reflects, to the best of my ability, what was presented.

WITNESS, my hand on this the 21st day of July, 1997.

COPY

DEBRA JIMENEZ-THAMES
Certification Number: 4876
Expiration Date: 12-31-98

6. **Sign-In Sheet**

Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

SIGN IN SHEET

PUBLIC HEARINGS DATE July 7, 1997 - Alpine

PLEASE PRINT Name	Mailing Address (Street Address/City)	State/Zip	
Amelie L Goodwin	P.O. Box 259 Marathon, Tx	79842	AGAINST
James H. Evans	P.O. 436 Marathon Tx	79842	BAD IDEA
Richard Arellano	5712 A Chesterfield Austin, Tx	78752	Opposed
Amanda Wingfield	5712 A Chesterfield Austin, Tx	78752	OPPOSED
Harold Kelley	P.O. Box 605 opposed Alpine, Texas,	79831	
Kaare T. Rembe	P.O. Box 923, Ft. Davis, Tx ; P.O. Box 1315, San Antonio, Tx	78767	
E C Locklear	Po Box 1122 Ft Davis Tx	79734	
Caneel Troxclair	P.O. Box 5185 Alpine TX	79832	
Lynn E Loomis	PO Box 362 Marfa Tx	79843	
[illegible]	p.o Box 564 Alpine TX	7983	
Anita Kinfcaid	Box 387 Ft Davis Tx	79734	
Charles Agee	Box 2049 Alpine, TX	79831	
Dick Hughes	P O Box 2118 Ft Davis, Tx.	79734	
Tom Willmon	109 N. 3rd St. Alpine Tx	79830	
Tom Curry	901 W. Sul Ross Alpine, Tx	79830	
George K. Flood	P.O. Box 1495 Alpine, Tx	79831	
Bert DeHart	Box 1410 Alpine, Tx	79831	

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Harold Padilla	P.O. Box 263 • Ft. Davis, Tx.	7973,
Richard Simpson	P.O. Box 772, Alpine, Tx	79831
Cecily Glover	Box 1174 MARFA, Tx	79843
Gloria Evans	3700 Mockingbird, Midland,	707
Susan Hughes	P.O. Box 2118 Ft. Davis, Tx	79734
Hester Ann Tyler	P.O. Box 995 Marfa Tx	79843
Jan York	P.O. Box 602 Ft. Davis, Tx	79734
[illegible] York	" " " " "	"
Eddie M. Woodward	Box 387 Ft Stockton, Tex	79735
Ivan B. Lutes	Box 178 Marfa, Tx	79843
E. McMinn White	Box 178 MARFA, TX	79843
Kay Kelley	P.O. Box 605 Alpine Tx	79831

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Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

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EMMETT McCOY	P.O. BOX 1424 SAN MARCOS, TX	78667
BILL KNIGHT, USDA RET.	BOX 316 FT DAVIS	79734
Mary Agnes Welch	Odessa American 222 E. 4th, Odessa	79763
PAT ARELLE	PO 1205 ALPINE	79831
John Arolaiza Jr. Graciela Manolo Mendoza Jr. Mendoza Jr. Ramon Mendoza Jr. Elizabeth Mendoza Jr. Susan White Jr. Sam		
BOB DILLARD	BOX 291, FORT DAVIS	79734
J.W. PATTILLO	PO BOX 466, ALPINE, TEXAS 79831	BREWSTER COUNTY
Mike McMillan	PO Box 682 Alpine TX	79831
Doreen -	HCR 74 Box 175 Fort Davis, TX. 79734	
Lois McDonald	505 S. LACKEY ALPINE, TX 79830	
JACK D. McNAMARA	BOX 1445	ALPINE TX 79831
BILL ADDINGTON	P.O. Box 218	Sierra Blanca, Texas 79851

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Expansion of German Air Force Operations at
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~~Howard Chamberlain~~	"	"
HOWARD CHAMBERLAIN	"	"
Jane and Jim White	P.O. Box 995	Marfa TX 79
John Smedeke	Box 148	Alpine 24 798
Bobbie Jones	Box 599	Dell City TX 79
Mary Elise Smedecke	Box 148	Alpine 79831
KING + Becky Terry	Box 75	Alpine 798
Louis Woodcock	Po Box 186	Fire. 4, TX 79
KATHLEEN + Dan White	Box 8	Valentine TX 798
Norma J. Kiser	909 E. Ave A	Alpine, Tx. 79830
Susan Curry	901 W. Sul Ross	Alpine TX 79830
Betty Jenkins ley	P.O. Box 628	Alpine TX 79831
DAN Spooner	806 N. 11th	Alpine

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DATE 7/17/97

PLEASE PRINT NAME Bill Addington

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Sierra Blanca, Texas 79851
CITY, STATE, ZIP CODE

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Corona, NM 88318

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NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) New Mexico Wool Growers, Inc.

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Alpine TX 79831
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) City Council Member Alpine

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NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) A McCoy Land & Cattle

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MAILING ADDRESS

STREET, P.O. BOX, OR ROUTE & BOX

~~Jeff Davis County~~ Repub. Chm.
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MAILING ADDRESS P.O. Box 772

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NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PLEASE PRINT NAME Dr. Tony Sferza

MAILING ADDRESS HC 65 Box 210

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Alpine, Texas 79830

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) SFEF & Davis Mountain Group

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PLEASE PRINT NAME Pam Tarelle

MAILING ADDRESS PO Box 1205

STREET, P.O. BOX, OR ROUTE & BOX

Alpine TX 79831

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Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

SIGN IN SHEET

PUBLIC HEARINGS

DATE

PLEASE PRINT

Name	Mailing Address (Street Address/City)	State/Zip

PLEASE PRINT

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input.

DATE: 7-7-97

PLEASE PRINT

The Defense Forces of The United States already have a control more land Than many ~~of the~~ Countries IT actually has Thousands of square miles. Just one airbase in California has over 1000 square miles and They are asking for another 500,000 acres. White Sands and Cabeza Prieta has enough land To Train the entire German air Force, but each branch of The service wants The area for its own use. With more planning The air Force would not need To bring The Luftwaffe over our homes & ranches To train. Resist This invasion of our homeland.

•••• CONTINUE ON BACK FOR MORE SPACE ••••

NAME: James Sipe

ADDRESS: P.O. Box 564

CITY: Alpine

STATE/ZIP CODE: Texas 79831

Please check if you would like to receive a copy of the Final Environmental Impact Statement. [ ]

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input. **DATE:** 7/7/97

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June 17, 1997 at approximately 1:15 p.m. I was driving towards Del Rio from Alpine. I was probably about ½ way between Marathon & Del Rio. A plane came flying down about 75 feet above the road; maybe less. I had to swerve because I feared it would land on me. It was an extremely tiny white plane. It was flying back and forth over the road. I had never seen any such plane. I have since learned that it is an air force plane out of the base near Del Rio. I was happy you could let them know about the incident. At the last meeting, we were told that it was possible.

Thank-you.

Also, the faint-hearted may have a hard time living by these low-level flights while driving. ~~I~~ I am perfectly healthy; my heart skipped a couple of beats.

I would also like a copy of the Draft EIS

****** CONTINUE ON BACK FOR MORE SPACE ******

NAME: Caneel Troxclair
ADDRESS: P.O. Box 5185
CITY: Alpine
STATE/ZIP CODE: TX, 79832

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LANGLEY AIR FORCE BASE, VA 23665-2769

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input. **DATE:** 7-7-97

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Bryan Keller
HC 65 Box 210D
Alpine 79830

gjnew@alpine
7-7-97

Send copy of DEIS

Darleen - final EA

Pam Spooner
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Pgavel
DEIS@
Alpine
7-7-97

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ADDRESS: ____
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LANGLEY AIR FORCE BASE, VA 23665-2769

SECTION 2.0

DELL CITY, TEXAS
PUBLIC HEARING TRANSCRIPT

JULY 8, 1997

ENVIRONMENTAL IMPACT STATEMENT

HOLLOMAN AIR FORCE BASE

Dell City, Texas

July 8, 1997

6:00 p.m.

COPY

PROCEEDINGS

JUDGE HUELPEL: Good evening, ladies and gentlemen. I want to thank you for coming out tonight. This is the public hearing on the draft environmental impact statement, or draft EIS, as you'll hear us refer to it, for the proposed expansion of German Air Force operations at Holloman Air Force Base, New Mexico. I'm Colonel Jim Heupel, and I'll be the presiding officer for tonight's meeting.

Before any decision to expand the German Air Force operation at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an environmental impact statement before the Secretary of the Air Force makes any decisions.

Now, part of the process involves receiving public comment on the draft EIS, which was written over the past year following scoping meetings last summer. At the scoping meetings the Air Force asked for public input on the scope, or range of issues, that should be studied in the EIS. This part of the process enabled the Air Force to

learn about any issues involving the expansion of the German Air Force at Holloman that were not previously identified. The relevant comments gathered during scoping are included in the environmental analysis. This analysis is contained in the draft environmental impact statement, the contents of which are the subject of the hearing tonight.

Now, the draft EIS has been distributed for public review and comment, and I'll hold up for you, this is a copy of the draft EIS. If you haven't seen it, it's a rather voluminous document. I think somebody checked earlier, and at least one person has checked it out at the library and has looked at it, and we're happy to hear that. If you've not had an opportunity -- or let me go on to say that the draft EIS has been distributed for public review and comment, and based upon input received during the 45-day comment period additional analysis will be evaluated and/or performed, and changes will be made to the EIS as necessary. If you've not had an opportunity to read the draft EIS before the meeting tonight, you're encouraged to do so as soon as possible.

Now, there is a fact sheet; actually, it's

seven sheets, 14 pages. I'm holding this up. These blue pages are labeled Continuing the Partnership, and these will become a part of the final EIS, because they're available to you tonight. You may read the summary of potential environmental impact that are in this handout; they're at the information tables. The findings will also be addressed in presentations that will follow.

While I'm at it, let me also indicate for the record that there are some display boards in the back. You may have also noticed that there's some legal-sized sheets of paper that are colored. These are duplicates of these display boards, the five display boards. These will also become an exhibit in the final EIS, because they are here for your viewing tonight, and everything -- I want to have all the written documents that you have available to you to be on the record as part of the final consideration.

Now, there are two goals tonight: One is to provide information to you about the analyses of potential impacts to the environment resulting from the Air Force proposal, and to receive your comments on the analysis. These will help the Air Force address all concerns about the proposed action,

because comments received during the comment period -- it started on the 20th of June and it goes until the 4th of August of this year -- all comments received during this period will be responded to in the final EIS. Tonight's hearing is one of six to be held in various communities in New Mexico and Texas.

Before introducing members of the panel, I'd like to explain my role in the hearing. I'm a chief trial judge for the Air Force. I primarily preside over criminal trials, so I am not an expert on this draft EIS, and I'm not actually doing anything with its development. I'm not here to be a legal advisor to for the Air Force representatives. My purpose is just to ensure that we have a fair and orderly hearing, and everybody who would like to speak has an opportunity to do that.

Let me introduce the other members of the panel. On my immediate right is Mr. Bob Johnson from the Holloman Air Force Base Environmental Staff. To his immediate right is Sheryl Parker; she's from the Air Force's Air Combat Command's Environmental Office at Langley Air Force Base, Virginia, and to her right is Lieutenant Colonel Don Hargarten, who is the Assistant Deputy Commander for

the 49th Operations Group at Holloman Air Force Base. We also have with us to my immediate left Ms. Tara Taggart, who is the court reporter. She's taking down word for word everything that's said during the hearing so that the presentation to you, as well as your comments, will be a part of the final environmental impact statement. The comments that you make tonight will be there for the reviewing officials to read and to assist them in making a better decision.

This is this evening's schedule: Mr. Johnson will spend a few minutes to provide a short summary of the environmental process and what you can do to provide input into what goes into the final EIS, then Colonel Hargarten will present information on the proposal and the three options that the Air Force is looking at in order to facilitate increased German Air Force operations at Holloman, and then Ms. Parker will review analysis of the proposed impact from the proposed action and training option locations.

Following these presentations we'll consider any clarifying questions, clarifying something that they may have presented, you didn't understand or needed repeating. After that we'll

take a short break, and then we'll come in and have public comment. I will go through the procedure when we come back in after that break as far as the public comment portion. Basically it's going to kind of depend upon how many people we have speaking as to whether there will be a time limit; last night we had a five-minute time limit. I'm going to go with the flow. If you'd like to speak, fill out the card, I take them in random order unless they're an elected official speaking on behalf of their constituency, city, county, whatever it might be. If you didn't fill out a card but decide as things are going on or even during the comment period, Well, by golly, I'd like to speak, just get up, go on over and get your card and mark the box that says you want to speak, and they'll get it up to me and we'll make sure you have an opportunity to speak.

It is very important to try to get you to speak. And let me just say, that's the reason we're here, is to hear your comments and to get those comments so that they're available to the decision makers, so we are very interested in hearing from you. Now, let me also say that because this hearing is on environmental analysis in the draft EIS, we're not able to answer nonenvironmental questions during

the meeting, but the Air Force will make sure that your questions are answered, or your comments are addressed in the final document itself.

Now, you can comment at this hearing in one of three ways: You can take and fill out a comment sheet. I don't have one in front of me, but the 8 1/2 by 11 sheet of paper that they're holding up over by the door with the lines on it, you can fill that out right here and hand it in here, or you can take it with you and fill it out and send it in later. You can send in something more lengthy later; that's fine, too. In fact, I think we just had a lady that picked up a comment form earlier just fill it out and brought it back in and dropped it off, and that's fine. The address for the -- to send your comments in are at the bottom of that sheet. It's important for you to realize we need to have your comments received at Langley Air Force Base by the 4th of August to make sure that they are included in the final EIS. If they're received after the 4th, the Air Force cannot guarantee that they'll be included in the final EIS. Or you can get up and you can speak tonight, and this is informal. And even if you might be a little nervous, we don't care. We're interested in hearing

from you. So we really encourage you to use one of these three methods, or all of them, because you can use all of them. You can speak tonight, you can turn in comments tonight and you can still send in comments later on.

Okay. At this time let me go to Mr. Bob Johnson.

MR. JOHNSON: Good evening. My name's Bob Johnson, and I work as a National Environment Policy Act, or NEPA, Specialist in the Environment Flight at Holloman Air Force Base. During the next few minutes I will provide you with some general information about the NEPA, which is the basis for these hearings, what we intend to accomplish, what's involved in the process and what your role is in this process, and I'll also go over the schedule relating to the proposed action we are evaluating.

NEPA, which was enacted in 1969, requires that before we, a federal agency, do something we must analyze and document the environmental impacts of that something before we proceed with the proposed action. The NEPA document is meant to provide a clear and unbiased discussion of any potential environmental impacts relevant to the proposed action and alternatives. This analysis is

intended to serve as a clear basis for choice and should avoid lengthy discussions of issues not relevant to the public action.

This leads me to a key point in the NEPA regulations that is found in the Purpose section, and I would like to quote it. "Ultimately, of course, it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork -- even excellent paperwork -- but to foster excellent action."

Everything the Air Force has done up until now and will do with this document and everything we do here tonight points toward the day when the decision maker makes or signs the Record of Decision. Our responsibility as employees of a federal agency is to ensure a full and objective environmental impact analysis is performed for all components of this proposed action.

Is EIS the only factor the decision maker takes into consideration? No. He or she must also take into consideration technical design issues as well as monetary costs. Other factors that could be taken into consideration include values of the local public as well as input from elected officials.

Once the decision is made, is the Air

Force committed to implement this selected action? No. The final action in the NEPA process is the Record of Decision. And it is just that, a decision. If the decision that's made to beddown the additional 30 aircraft and build the needed facilities, other constraints may cancel the proposal. The Air Force would not be legally obligated under NEPA to implement the selected action.

In other words, to use a phrase our team has heard a lot related to this and other Air Force proposals, this is not a "done deal." It is far from it, and possibly may never become a done deal. The only decision made thus far has been to proceed with the environmental impact analysis. The decision of whether or not to do the something and how to do it won't be made until the analysis is complete, hopefully this December.

I said I would tell you how you can be involved in the process. The judge earlier told you what specific methods can be used to provide your comments. The primary thing you can do is to ensure your comment is relevant to the issues at hand. We are here to receive comments on the draft EIS. We are looking for feedback on environmental issues

that you feel were not adequately addressed or were not addressed at all. Maybe you're a member of the Audubon Society and are aware of the presence of an endangered species in the region we failed to address. Maybe one portion in the discussion in the document was very confusing to you and you want to offer some suggestions on how we can make the explanation clearer. These types of comments from you are very helpful to us and will be taken into consideration as we continue our analysis.

We won't, however, enter into a debate with anyone about the Air Force's policy on training or issues related to NATO alliances. If you have questions along these lines, I would refer you to the draft EIS Chapters 1 and 2 or our fact sheets. These provide the Air Force's reasons for what we're proposing, while fully realizing not everyone will be in agreement with us. Again, our focus here tonight is the potential environmental impact of what we're proposing.

We don't have to have all inputs tonight. If you think of something tomorrow or the next day, send us your comment in writing. The comment period will be open until August 4th, for any of you who you might have picked up the comment cards.

So, where are we at in the NEPA process? Like all proposed actions evaluated under NEPA, there's a schedule or time line we are trying our best to adhere to. On this slide you can see all the key actions required by NEPA and, was mentioned earlier, beginning with June 20th we're having 45 days of public comment, and that'll be completed on the 4th of August. After that we just start compiling all the input we receive from these meetings and continue our environmental analysis. We're looking to publish a final EIS in early November, and hopefully will have a record decision signed in December.

I hope that the information I just given you has provided you with a clearer understanding of what NEPA requires, why are we holding these meetings, and what we are trying to accomplish. Again, our goal is to ensure the decision maker makes an excellent decision which will lead to excellent action -- one that allows the Air Force to accomplish its mission while also protecting the human environment. They go hand in hand.

This concludes my portion of the presentation.

JUDGE HUELPEL: Thank you, Mr. Johnson.

At this time Colonel Hargarten will brief you.

LT. COL. HARGARTEN: Thank you, Judge. I am glad to be here tonight to provide an overview on this proposal to expand the German Air Force operations at Holloman. Before I get into the specifics of what the Air Force is proposing to do, I'd like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950s Germany has demonstrated a commitment to its NATO role. German aircrews have been training in the U.S. in fighter aircraft since 1957. They have trained in F-84s, F-104s, F-4s and PA-200 Tornados. Since 1992 the U.S. has provided German aircrew training in F-4s at Holloman Air Force Base. I was commander of that squadron for two years, and the German/U.S. partnership was clear to see as we hosted the German Air Force pilots to help ensure our allied aircrews are trained to the same high standards as U.S. pilots. This partnership has been especially useful since the end of the Cold War, as multinational allied actions became an even more important means of protecting our nation's security and promoting stability around the world, as the Soviet superpower and the

Communist bloc in Europe fell, and as the U.S. began to withdraw its forces from Europe. All these factors have made readiness and training more important than ever before because of the changing international environment, a greater diversity of risks and threats, and reductions in the U.S. military budgets. This policy is reflected in the current National Military Strategy, which emphasizes international training and military exchanges.

For this approach to our defense to succeed and for U.S. and allied forces to be safe, we must provide both U.S. and allied aircrews with the highest caliber training. Combat readiness requires constant training, and that is another reason behind this proposal. The U.S. and its allies must train the way they intend to fight. Responding to the government's new military strategy and increased risk demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training: Low altitude training, air-to-air training and air-to-ground training, and proficiency in all three is vital. We want to ensure that people fighting

alongside us are just as combat ready as we are. Holloman is well-suited for further growth in German Air Force training missions. In addition to having infrastructure to support the 12 Tornados already at Holloman, the base offers available land, airspace areas, support facilities, local community support, and the benefit of being located near the German Air Force command headquarters at Fort Bliss near El Paso, Texas. These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness, because it provides realistic training opportunities.

But another integral part of our mission is serving as a good neighbor and a good steward of the environment. That makes it important to us that you assist in the decision-making process for this proposal and that any time you have concerns about our operations or activities, our Public Affairs phone number is (505) 475-5406. Community input has already led us to define avoidance areas or to raise minimum flying altitudes over and distance from specific sensitive areas. We also work with the Federal Aviation Administration to reduce potential

impacts to civilian aviation in providing advance notice when we're using many airspace areas.

In our role as caretakers of the environment, we believe environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our installations to sustain diverse environments and monitor the condition of natural resources, including air and water quality and land condition, to ensure there is little or no degradation. We work closely with agencies such as the Bureau of Land Management, the U.S. Forest Service and the U.S. Fish and Wildlife Service to protect and enhance resources and minimize impacts to sensitive areas.

Now I'll outline the main components of the proposal to expand the German Air Force's presence and establish a German Air Force Replacement Training Unit at Holloman. The Replacement Training Unit would function as a school for German Air Force Tornado aircrews. First the proposal includes facility construction and relocating an additional 640 personnel to support training of German aircrews in the 30 additional Tornados. Second, it includes aircraft training in airspace throughout the region. And third, in order

to meet the needs of the Tornado aircrews, three training options are considered within the proposed action: Construction and operation of a new air-to-ground tactical target complex at one of two locations on McGregor Range, or use of existing military training ranges at White Sands and Melrose Range near Clovis, New Mexico to accommodate training requirements.

This beddown of 30 additional Tornado aircraft would require construction of administrative and academic buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities and hangars, and dormitories on Holloman Air Force Base. Construction would total over $100 million. All the construction and relocation expenses directly related to the Germans would be paid for by the German government.

A variety of airspace is needed to support the German Air Force mission. Airspace needs include military training routes for low-altitude maneuvers, military operations areas or large areas of airspace where military aircraft practice air-intercept training, and areas restricted to military use. The proposed action would result in

an addition of approximately 2,800 sorties on military training routes, 3,200 additional air-to-air or dogfight sorties in military operations areas or restricted areas, and 2,600 air-to-ground range sorties per year. Aerial refueling operations would also be performed. These sortie numbers are not cumulative. By that I mean you simply cannot add up all these numbers and arrive at a total number of sorties that would be flown by additional aircraft. A single sortie may include use of a low-level training route, then performing inflight refueling, then use of military operations area, followed finally by delivery of training ordnance on an air-to-ground training range.

Currently the majority of tactical air-to-ground training is conducted at White Sands Missile Range. According to national policy, White Sands' mission of research, development, tests and evaluation has priority over Holloman's training mission. As a result, it is presently difficult to get adequate time to train in White Sands airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features of the Red Rio and Oscura target complexes preclude

their use for training in certain types of mission deliveries.

We are looking at three options to meet the air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range, which is controlled by the Army's Fort Bliss. One option is a location on western Otero Mesa, and the second complex is a location in the Tularosa Basin portion of the range. If a new target complex were to be built, it would be comprised of a two-by-four mile impact area within a 12-by-15 mile safety area. Construction activities would be primarily confined to a two-by-four mile impact area. No live ordnance would be used in the new target complex.

Although not operationally desirable, the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura ranges on White Sands Missile Range west of Carrizozo, New Mexico and use of the Melrose Range near Clovis, New Mexico.

These training options differ only with respect to utilization of airspace and ranges,

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aircraft would access either of the new target complex options or the existing ranges using military training routes.

We'll go over a few maps now to explain the locations that I was just discussing. This first slide, Holloman Air Force Base, you can see the red dot here, is located in the -- beneath the dot. The blue area here is White Sands Missile Range. That is a restricted airspace. To the south of Holloman is McGregor Range. We've got the Talon military operations area over here, the Beek military operations area and the Peco military area. The 2,200 sorties I referred to would be flown predominantly in these locations. We do not intend to use Valentine or anything over here to the west.

Next slide, please. This is a very busy slide. What this shows is where the 2,800 low level sorties will be flown. This slide shows in color the different MTRs, with -- let's see. Of course, Dell City is located right about here. The low levels that would go around Dell City would be the 102141 route here, just to the north of Dell City is -- right here, just to the north is route IR-134, and there's a route IR-194 that's going to the south

and passing to the west of Dell City. There's two routes on this map that are in our local flying area, but we do not use those. One of them is IR-178 here, going up into New Mexico, and then this VR-196, the green right here. We don't fly those two routes.

Next slide, please. This shows two current ranges, which are also ranges we would use under that existing ranges option. I'll quickly go over where the ranges are located and what facilities they have at them. Again, here's Holloman Air Force Base in the middle of the circle. By the way, this is a 100-nautical mile circle, just to keep you oriented on distances on the map. Located 45 nautical miles to the north of Holloman is Red Rio Range. It is a tactical bombing range. It has a simulated airfield on it, industrial complex convoys, antiaircraft artillery sites, surface-to-air missile sites. It also has a single live drop target on it. That is the only location that will be used for live drop targets, or live drop training. It is not a manned range and the targets are not scored right now.

Just to the south of it is a Oscura Range. It is a conventional range; it has two

different targets. There are targets on the ground with a number of concentric circles around the target used to practice basic bombing fundamentals on that range. It also has a scoring target on the range. It is manned, and the tour is manned to provide the aircrews with scores when they drop their training ordnance.

There's also a single target on McGregor Range right now. We call it a class C target, with concentric targets around it. It is not a manned range or a scored target. The other location, located 135 miles to the northeast, is Melrose Range. It has both a tactical range and a conventional range. This Dona Ana range is not in red; it is an Army range that the Army uses for live artillery firing and for tank maneuvering with their heavy vehicles.

This slide shows the other two options. Now, the one option was using existing ranges. These are the two other options proposed for new tactical target selection. First I'll orient you on the map. Oro Grande is over here to the west; you hear people referring to being on the mesa or off the mesa. What this is referring to is if you if follow the laser point there's an escarpment that

runs along right here several hundred feet. That defines what we use to define the difference between on the mesa and off the mesa. Also on the map, this is county road 506 going through the range, and just to the north of it is a power line. Under both options of these two locations, Highway 506 would not have to be moved, nor would the power line.

Also on this very busy slide shown, which will be discussed in a little more detail by Ms. Parker, this is a water pipeline that comes out of the hills that is used to feed the water troughs for the cattle on the range. These green lines are different grazing units, and you can see that this location on the mesa splits into two different grazing units. So when we refer to it in the script tonight, this is referred to as the west Otero Mesa option, and this location is referred to as the Tularosa Basin option.

This light red line -- it's difficult to see probably in the back -- represents the 27,000-foot safety fan that surrounds these two two-by-four mile areas. The public would not be -- access would have to be controlled 24 hours a day inside the two-by-four mile area. We would put a fence up that's approved by the BLM where the

antelope that's up on the mesa could go near that and graze; however, the public would not be allowed to go in there. The public, ranchers and sportsmen would be able to go in -- when the range is not in use would be able to go inside this safety fan. We just have to control access into the safety fan when the range is actually in use, when there are aircrews doing training on the range for safety reasons.

Okay. The airspace that would be used could include modified military training routes and restructured airspace in southern New Mexico and west Texas that were contained in a separate proposal by the Air Force and addressed in a final environmental assessment, or EA, entitled Proposed Airspace Modifications to Support Units at Holloman Air Force Base, New Mexico. That action also involves establishment of an air refueling route. This EA has been approved by the Air Force and is undergoing review by the FAA. If this airspace modification is not implemented, existing airspace would be used to support the increased Tornado aircraft. These differences in airspace availability and utilization are taken into account in the analysis of the impacts in the EIS that we

are addressing today. Ms. Parker will discuss these impacts shortly.

In addition to the proposed action and its three training options, the EIS includes the no-action alternative which analyzes the environment without the additional aircraft and aircrew relocation, target complex construction or change in airspace utilization. This alternative does, however, include some other actions that have already been adopted, such as the change from F-111 to F-16 aircraft at Cannon Air Force Base.

The proposal to expand German Air Force operation at Holloman is important to our country because it advances our efforts to keep our nation and its vital interests safe through a strong and well-trained allied team, despite the fact that U.S. military forces are much smaller today. Keeping this team ready requires constant realistic training, now more than ever before. And central to this proposal and our ongoing mission is our responsibility to serve as good neighbors and stewards of the environment.

Thank you for your attention. I appreciate the opportunity to make this presentation to you tonight.

JUDGE HUELPEL: Ms. Parker will now summarize the environmental impacts associated with the Air Force's proposals.

MS. PARKER: The draft EIS describes the environmental impacts that are associated with implementing the proposed action, which is to relocate 30 more German aircraft and associated personnel to port facilities at Holloman and the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of the proposal: Construction at Holloman to support the additional aircraft, personnel and programmatic needs, training and airspace throughout the region, and the three training options to meet the air-to-ground training requirements.

We looked at three options to satisfy the need for increased air-to-ground training. Two of these options involve construction on McGregor Range, and the third option would increase use of existing ranges. We also looked at the use of airspace in the region. The Air Force has requested that the Federal Aviation Administration approve modifications to military training routes in New

Mexico and southwest Texas and the Talon military operations area in New Mexico. This draft EIS examines the environmental effects of the proposed action both with and without this modified airspace. Also, as Colonel Hargarten mentioned previously, we examined the no-action alternative which considers not implementing the proposed action, and therefore would result in no change or impact to any of the environmental analysis categories.

I'll discuss the overall impacts to the environment associated with implementing the proposed action, impacts to airspace use and management, environmental impacts of construction of one of the two target complexes, as well as the option of using the existing ranges. The existing ranges would be considered -- would be used under all three training options, but their use would be considerably higher under the existing range training option.

Before I go into any of the specific impacts, I want to explain how the impacts of the proposed action were compared to environmental conditions without the proposed action. First, we describe the existing environmental conditions in

fiscal year 1995. However, there are a number of actions that have already been approved that will occur whether or not the additional 30 Tornados are brought to Holloman. For example, in 1995 the 12 Tornados that are already there at Holloman now had not yet arrived. Also, a squadron of AT-38s at the base was deactivated just this year, and this was not included in the conditions that prevailed in 1995. In addition, Cannon Air Force Base is in the process of changing from F-111s to F-16 aircraft, and they will be using some of the same airspace that the Tornados would use.

Therefore, to provide a baseline to compare to the proposed action we projected the environmental conditions that could be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions which would occur between 1995 and the fall of 1999, or first quarter of fiscal year 2000, when the 30 Tornados would beddown. The draft EIS also discuss cumulative impacts from the proposed action in combination with other reasonably foreseeable Department of Defense actions affecting Holloman Air Force Base and the airspace of ranges in the region.

At any given time there are a number of potential actions that could include basing of aircraft, changes in mission for the aircraft at a particular base or new construction at a base that the Air Force might be discussing or contemplating. Many never make it past the discussion stage, but some do and it is not always possible to call them reasonably foreseeable actions during this early discussion stage. As an example, development of the new F-22 Raptor aircraft is well under way, but the basing process is not yet out of the discussion stage. Therefore, included in a discussion of the possibility of basing an operational unit of F-22s at Holloman is not necessary, because it is not now reasonably foreseeable. The Air Force is also discussing establishing a new electronic scoring site for bomber aircraft, and if the decision were made to pursue these sites, they may be located somewhere in the mountainous west or the southwest. But the definitive criteria necessary to formulate this discussion into a proposal has not yet been developed; therefore, its precise location is not reasonably foreseeable and an analysis is not included in this EIS.

Now to summarize the findings of the draft

EIS in the 13 environmental areas analyzed in the document. Tonight's briefing is an overview of the general findings in each of the environmental disciplines, and I urge that you refer to the draft EIS for detailed resource impacts.

The first resource area being examined was airspace use and management. Our analysis found that there would be minor impacts to civil aircraft, traffic due to increased operations at Holloman, and none of the three training options under the proposed action would result in any significant airspace impacts.

The noise analysis examined impacts around the Holloman airfield and in the airspace ranges that would be used. At Holloman and surrounding areas about 41 acres are currently exposed to day-night average sound levels of 65 decibels or more. Day-night average sound level is a measurement that averages noise from multiple events, such as a jet taking off or flying overhead over a typical 24-hour period. The measure adds an extra 10 decibels to events that take place between the hours of 10:00 p.m. and 7:00 a.m. because of an increase in sensitivity at night. By October 1999 the affected area would increase to about 42 acres

due to other ongoing projects. Implementation of the proposed action would further increase this to about 47 acres, a change of about 12 percent. For either the west Otero Mesa or the Tularosa Basin training option, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. In no case would average sounds levels increase by more than six decibels. Under the Existing Range training option, sound levels under affected airspace would increase negligibly at most locations, or even decrease in some instances; but there are instances, such as under the Pecos military operations area near Fort Sumner, that sound levels would increase by as much as 13 decibels from their existing levels of about 45 to 46 day-night average sound level to about 57 to 59 decibels. Except at the air-to-ground ranges themselves, none of the airspace areas -- military operations areas and training routes -- would have an average noise level above 65 decibels under any of the options.

Increased operations at Holloman Air Force Base would result in increased noise over portions of White Sands National Monument. Other changes in overflights in affected airspace would result in

negligible changes in sound levels in most locations, with no significant effect on land use. In some areas east of McGregor Range and southwest of Artesia, particularly where airspace units overlap, there would be a noticeable increase in the number of overflights that could be annoying to residents, as well as outdoor recreationists. Under the Existing Range training option, areas near places like Capitan Mountains and Sumner Lake would experience higher overflight increases that could also be annoying to recreationists. However, even with the increases, the total number of overflights would remain low and incidental, with any one location unlikely to be overflown more than once a day.

Construction of a new target complex on McGregor Range would result in a reduction of access to portions of Otero Mesa south of Highway 506 by recreationists, BLM workers, and ranchers. Access for livestock management, for example, would need to be scheduled around times that the complex would be in use, which is estimated at about 60 hours per week. Livestock grazing would be able to continue, however, even when the complex is being used. If the new target complex were constructed on western

Otero Mesa, about 5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land would be removed from grazing, but access to, say, portions of Otero Mesa would still be restricted for people while the target complex would be in use. Neither of the options would affect access along Highway 506 itself.

Air quality would not be significantly impacted by the proposed action. There would be temporary increases in air emissions during the construction of the facilities at Holloman, and if a new target complex were constructed, but these emissions would not result in a significant impact to the air quality conditions, including visibility. Aircraft emissions would also increase, but not at levels that would -- enough to affect the adherence to the national ambient air quality standards.

Potential impacts to biological resources from implementing the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, direct loss of animals as well as temporary disturbance from noise.

About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman Air

Force Base for construction of the facilities. In addition, an existing building that is used by bats as a roost would be demolished. Burrowing owls in the vicinity of proposed facilities on the base would be relocated. There would be no impacts to threatened or endangered species or to wetlands.

Other potential impacts would include continued disturbance of vegetation and habitat at existing ranges and continued temporary wildlife disturbance from noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to the baseline, but the increases would be relatively small and result in a small increased potential disturbance to wildlife. Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the areas of the Lincoln National Forest, Sacramento Mountains, and Gila Wilderness in New Mexico and the Apache-Sitgreaves National Forest in Arizona. Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown. Similarly, bald eagle winter concentration areas in west-central Arizona, the portion of the Rio Grande in the region around Elephant Butte Reservoir and Brantley Lake and Santa Rosa Lake along the Pecos

River potentially would be overflown more frequently. These daily overflight increases would be relatively small and result in a low impact to the protected species. Consultation with the U.S. Fish and Wildlife Service would be completed prior to use of any of the airspace to implement the proposed action.

Impacts associated with construction and uses of a new target complex on west Otero Mesa would result in a net loss of 500 to 1,040 acres from construction of targets, firebreaks and roads. In addition, there would be annual redisturbance during ordnance clean up and maintenance. Use of inert ordnance and flares would increase the potential for fires within the impact area. Up to 46,000 linear feet of waters of the U.S. may be affected under this option. Loss of grassland and shrubland vegetation would result in a minor loss of wildlife habitat, including habitat for burrowing owl, aplomado falcon and black-tailed prairie dog and grama grass cactus habitat. Also, wildlife would probably avoid the new target complex when inert ordnance was being dropped and during cleanup and maintenance because of the human presence and the noise. Increased aircraft sorties would result

in more frequent overflights of wildlife on McGregor Range. For example, wintering bald eagles, nesting raptors such as the red-tailed hawks and the northern harriers, and bat habitat, including potential roosts along the escarpment and feeding areas and water sources would be overflown more frequently.

Impacts associated with construction and use of a new target complex in the Tularosa Basin would include short-term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before constructing the targets. In addition, annual redisturbance of about 1,040 acres would occur during ordnance cleanup and maintenance. Use of inert ordnance and flares would also increase the potential for fires under this option. About 33,240 linear feet of waters of the U.S. may be affected by construction and use of this option. Loss of the grassland and shrubland vegetation would result in a loss of wildlife habitat, including habitat for aplomado falcon and the night blooming cereus. As with the west Otero Mesa option, wildlife would probably avoid the new target during dropping of inert ordnance and during cleanup and maintenance because of human presence

and noise.

Using only existing ranges would result in slightly higher aircraft use of areas IR-113 and VR-176 compared to the no-action alternative. The increased use of VR-176 would result in a small increase potential for overflights of habitat to peregrine falcons, Mexican spotted owls, bald eagles, whooping cranes and southwest willow flycatchers.

Impacts from the proposed action to cultural resources on Holloman Air Force Base under airspace areas or at existing ranges would be negligible. If a new target complex were constructed on the west Otero Mesa, 17 sites eligible or potentially eligible for placement on the National Register of Historic Places would be impacted. If a new target complex were constructed in Tularosa Basin, 29 sites eligible or potentially eligible for placement on the National Register could be affected.

Water resources would not be impacted by the airspace components of the proposed action. Construction and new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any serious

problems resulting from runoff. Increased use of existing ranges would result in negligible impacts caused by runoff, and there is an increased potential for soil erosion during heavy rain. However, resulting impacts to surface waters would be minimal. Increased soil erosion and sediment transport could result from construction and operation of a target complex in the Tularosa Basin, but the impacts would be negligible. Impacts from the west Otero Mesa option would be similar. In addition, there is a chance that water resource improvements such as pipelines, water tanks and pump houses could be damaged by inert ordnance. These improvements would be relocated as necessary or repaired to insure that the availability of water for wildlife and livestock would be maintained.

There would be a 12 percent increase or about 13,500 pounds in hazardous waste generated per year, and an increase in use of hazardous and toxic materials at Holloman. Hazardous materials and wastes would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on hazardous material and hazardous management practices. Hazardous materials and waste management are largely

unaffected by airspace utilization. Munitions on existing ranges would increase, but Air Force ranges are cleared annually of scrap metal, which is disposed of through existing orders and regulations. Under any of the training options, munitions use would generate about 150,000 pounds of nonhazardous scrap metal each year. Again, since cleanup and disposal procedures are in place to handle this waste, there would be no significant impact to the environment or hazard from this activity.

The proposed action would result in an increase of 640 military personnel at Holloman, and generate about 110 construction jobs. Annual wages and purchases in Otero County would increase by 10 percent to $18.2 million, with the potential for other additional infrastructure improvements. There would be no significant impact to regional socioeconomic attributes such as employment, construction, police, or fire protection. Cost of construction of a new target complex on west Otero Mesa is estimated at $4 million, and the Tularosa Basin option is estimated at $20 million. Air space utilization has little effect on socioeconomic conditions.

The only transportation impacts resulting

from the proposed action would occur in the city of Alamogordo itself. Although the proposed action would result in a relatively small increase in traffic, there would be an adverse affect on traffic conditions, potentially increasing congestion on the roads through Alamogordo. On the main road through Alamogordo -- I'm sorry.

Utility use at Holloman would increase between six and 13 percent under the proposed option, but the increase would be within existing levels of service. Alamogordo utility use -- water, waste water treatment, waste disposal and electric and natural gas supply -- would increase from three to six percent. There would be no impacts on utilities from changes in airspace or from range use. If a new tactical target complex were built on west Otero Mesa a portion of existing water lines and a stock tank may need to be relocated. The other training options would have no effect on utilities.

Construction at Holloman Air Force Base and Red Rio and Otero Impact Areas at White Sands Missile Range could affect soils, by because of present conditions at these areas the impacts would be minor. Increased live munitions drops at Red Rio

could increase vegetation loss and a potential for soil erosion. While increased use of live ordnance at Red Rio could result in increased contamination from uncombusted explosives, past use was found to cause negligible soil contamination. If the Tularosa Basin new target complex were constructed, virtually 100 percent of the 5,120-acre impact area would be heavily impacted; that is, all vegetation would be removed in order to clean up the existing unexploded ordnance. If the west Otero Mesa target complex were constructed, about 20 percent or 1,000 acres of the vegetation would be removed. Soil conditions would be unaffected by airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in risk of aircraft mishap and bird-aircraft strike if the proposed action is implemented. Although munitions use and handling would increase over the current conditions, range operating procedures are already in place to ensure safe operation, so no significant impact is expected under any of the training options. There is a potential for increased fire risk if one of the new target complex alternatives is selected.

The effect of this proposed action along with other actions which have been recently implemented, such as the 12 Tornados that were brought to Holloman last year, and actions which will be implemented in the reasonably foreseeable future, such as the change to the F-16s at Cannon Air Force Base, were addressed in the draft EIS's cumulative impact analysis. A comparison was made between conditions as they prevailed for fiscal year 1995 and those that are projected for fiscal year 2000. For most resources no significant cumulative impacts would occur following expansion of the German Air Force operations at Holloman. These resources include airspace management, air quality, archaeological, cultural and historic resources, water resources, hazardous materials and waste management, safety, utilities, transportation, and soils. In most cases cumulative impacts would be related to increases in aircraft operations and the associated noise, which could affect land uses and biological resources. Other activities such as timber harvesting and grazing could affect -- could add to the habitat impacts, although these impacts would be minor. Other projects in Alamogordo could affect employment and economic activities in the

area. Finally, there is an initiative underway which would provide realistic training for bomber aircrews stationed at Barksdale and Dyess Air Force Bases. Possible alternatives may involve establishment of an electronic scoring site in west Texas or New Mexico. Potential alternatives could affect airspace use considered in the current action. This and other possible alternatives will be considered in a separate analysis.

To summarize the environmental impacts from the proposed action, most locations would receive negligible impact to the environment. Areas that are projected to be most affected if the proposed action goes forward are areas near Alamogordo because of increases in employment, population, traffic and aircraft operations at the base, areas near Carrizozo because of an increase in nearby overflights, areas west of Truth or Consequences in which threatened and endangered species such as the bald eagle and the Mexican spotted owl could be disturbed by potential increase in overflights; the Fort Sumner area if there is an increase in the use of Melrose Range, if there is -- I'm sorry. Let me say that again. The Fort Sumner area because of potential increase in

nearby overflights if there is an increase in the use of Melrose Range. Near Dell City because of increased nearby overflights and the Alpine/Marfa/Fort Davis area could experience increased nearby overflights if expansion of the German Air Force operation is approved.

Thank you for your interest and attention.

JUDGE HUELPEL: Thank you, Ms. Parker. At this time if people have some questions about what has just been presented where you need to clarify what it was that was presented, I'll entertain those questions right now. If there are no questions we'll take a break, and then when we come back we'll go into the public comment period where you'll have an opportunity to present your views and your comments on the proposals. Does anybody have any questions regarding trying to clarify anything that was presented here?

Sir, if you would come up to the microphone. I want to make sure everybody's able to hear, and it would also help if you would state your name, sir.

MR. LYNCH: James Lynch. My question is: How long will you carry on this exercise of

training? How many years do you plan?

JUDGE HUELPEL: Okay. Colonel Hargarten, can you address that?

LT. COL. HARGARTEN: Yes, sir. Right now the Germans have signed a memorandum of agreement for the 12 aircraft that are already at Holloman. It was a 10-year MOA. Now, with all the money they're putting in construction there, for example, under this proposal we're talking about $100 million worth of construction, I would assume that they would probably want to stay longer, but I can't force that -- I cannot forecast that for sure. Right now it's 10 years, but I would guess right now if nothing changed that they would want to continue since they've sunk so much money into construction.

JUDGE HUELPEL: Are there any other clarifying questions? Apparently not. Let's go ahead and take about a 10-minute break. Let me remind you again: We've had a couple people come in late. I'm going to take comments if you sign the card, and I'll get all those cards and I'll take the comments, call people in random order to provide comments. And that's why we're here, is to hear your comments or receive your written comments, so we're anxious to hear them and we solicit your

comments. We'll be in adjournment for about 10 minutes.

(A recess was taken.)

JUDGE HUELPEL: Ladies and gentlemen, we're ready to start in. Has anybody not turned in a card indicating they want to speak? It appears that they have. I've got several cards here. As I indicated before, we do have a court reporter here to make a verbatim record, and this will allow everyone to review the record and your input that was stated so that they can make sure your comments are accurately and completely addressed in the environmental process.

With that in mind, please help me with the following procedures: I'll call on people and ask you to come up and speak only after I have recognized you, and please address your comments to me as the hearing officer. Please use the microphone. I would like to make sure that everybody here can hear, and that the court reporter can hear, as well. I've got five cards, so what I'm going to do is say if you can kind of keep your comments five to 10 minutes, within that range, it would be greatly appreciated. So I want to make sure everybody's got an opportunity to speak, and if

you're going to need more, let me know. And I, lastly, ask that only one person can speak at a time, because the court reporter can only record one person speaking at a time. I don't think that's going to be a problem, but with that we'll go ahead and begin the process. What I'm going to do is shuffle the cards and start calling people in random order.

And the first speaker would be Bobby Jones.

MR. JONES: Yes, sir. Thank you. I'm Bobby Jones, and I live in Otero County; however, I do a lot of my business here, and I have some comments and some questions.

DC-1 And one of the questions I'd like to ask is: As I see these documents and listen to you-all talk, I don't see any acknowledgement that there will be any compensation for damages done to anybody in the area under the overflights for the training runs, and I wish you-all -- want somebody to address that. Is there going to be anything done for that, or are we just going to have to sit there and take it?

JUDGE HUELPEL: Now, as far as answers to your questions, the only thing I can tell you is

those will be addressed in the final environmental impact statement. If you have questions, go ahead and ask the questions for us to have to make sure that they're answered in the environment impact statement. We'll take those, but they're not going to be able to be answered tonight.

DC-1 MR JONES: Okay. Well, that was one question I wanted addressed, because it's very important. It looks to me like we have to suffer all the damage for no compensation, and it's because even though we're in an area where there's checkerboarded lands, some of it is private and I have some real concerns about that.

Also, I have questions for Ms. Parker on the average sound levels and decibels. I'm curious as to how -- that you arrived at that. Is that an average done on a 24-hour basis, total sound that you'll hear in one day's time from the overflights DC-2 of the sorties, or is that the total year-long average?

MS. PARKER: No --

JUDGE HUELPEL: Well, let me -- that's kind of a clarifying question from the presentation before, so let me see if we can answer that one, because I would have taken that during the

clarification questions.

Can you clarify how the decibels were done with a microphone?

MS. PARKER: Yes. As the presentation mentioned, the decibel levels that I gave that's under 65 decibels is averaged over a 24-hour period. It's not year-long, it's 24 hours.

MR. JONES: Well, as I understand this, then, by averaging them over a 24-hour period, we're talking about single fly levels of a single event category? Isn't that what you called it last night, of a single flyover at 100 feet, that would be DC-2 categorized as a single event, noise level?

MS. PARKER: To clarify, again, when it flies over you at that particular moment, that's a single event.

MR. JONES: That's what I wanted to know for sure, because that wasn't clear to me, even last night. But if that's so, then, as I see it, the damage done by that single event is not mitigated whatsoever, any at all, but 24 -- averaging like you've done in your document, that gives a false picture, and I wish that to be on the record, because that's -- we have been around these planes some and we understand what's going to -- what we're

facing to some extent. And if these overflights go like they are intended, we won't be able to stay there, and we feel there's going to be considerable damage.

And you talked about air quality standards. Did these -- this environmental impact statement address the air quality standards of the state of New Mexico or the state of Texas, or were they just national standards?

MS. PARKER: The air quality standards that were used were both the national ambient quality for year six criteria pollutants in New Mexico as well as Texas.

MR. JONES: Okay. I appreciate that. There's a statement about the overflights and the rest of what I have here. I believe there's adequate current training grounds for the Germans, even if they bring the 30. I don't think they should come; we already have the 12. But I don't believe that they should get their pick of the crop, so to speak, for the rest of these areas that you are bringing in to be new overflight areas. I have a particular concern because, according to the maps and all I've been told by the Air Force and their personnel, I'm directly under of those overflights,

both to line up on a target on Otero Mesa and also for the low-level training run that runs toward Sierra Blanca on the west side of the Rio Grande, down the river. I don't know the number; I forgot to write that down. But I'm against that. I don't want to see that put into effect, and if they have to have a new target built I'd prefer the Tularosa target off the mesa.

Thank you.

JUDGE HUELPEL: Thank you, Mr. Jones.

The next speaker would be Greg Duggar.

MR. JONES: Thank you, sir. I'm Greg Duggar, a resident of Otero County and of Lincoln County. This project will involve -- we will be recipients on both ends, and we're happy for that.

Ms. Parker, I couldn't help but notice that fly bothering you during your presentation. Now, if he's going to cause you that much difficulty, could you imagine what we're in for?

Now, I have a very serious question that I would like to address to the reporter. I'm not a pilot; I'm a private landowner. But what will our rights be if we pursue -- or any pilot, any private pilot? Are we to stay under 100 feet? Will that be our flight space -- all right -- on our private

DC-3

properties? Will 100 feet above our properties, will that be our limit from the ground? And I would like to have that addressed.

I want to be on record that I am not for this project where it is funded by the American taxpayer in any shape or form. If the German government wants to shell out the money and foot the bill, then that's another story. But for the American taxpayer, I'm not for any of us to fund a project like this. DC-4

But I thank you for this time, and those were my questions. Thank you.

JUDGE HUELPEL: Thank you, sir.

The next speaker would be Bruce Malloy.

MR. MALLOY: My name is Bruce Malloy. I represent Guadalupe Mountains National Park and the National Park Service. I have a couple of concerns. Recently the U.S. Air Force determined that there was a finding of no significant impact on the final environmental assessment for the airspace modifications. That's a related NEPA analysis to this present analysis that's going on, and I feel that the U.S. Air Force should have included both of these analyses together into one environmental impact statement instead of separating out two DC-5

related issues that are going on almost simultaneously, and addressing them separately -- they should have addressed those together.

I'm sorry. I haven't read this document in its entirety; I've scanned over it. As you say, it's a large document. But I plan on reading it before the comment period ends so the National Park Service can have the opportunity to make some written comments, as well. But a couple of points that I did notice in this draft EIS is that it mentions the National Park Service, on page 3-29, and it says that the National Park Service manages five parks and monuments underlying the affected airspace. And I'm not quite sure what affected airspace that is, because it does include Carlsbad Caverns National Park and wilderness area, and I wasn't aware that there is, you know, military training around or military training operations that are over the top of Carlsbad caverns, so that needs to be clarified. DC-6

It goes on to say that in addition the Guadalupe Mountains National Park and a couple of national parks that are located near but not beneath the affected airspace, and I hope that that's true because in the EA that just came out it had been DC-7

changed to move away from Guadalupe Mountains National Park. I'm still waiting on a map to determine if that is the case, but I'm assured that it is. And I appreciate the Air Force making that modification on the EA.

DC-7

And it goes on to talk about Guadalupe Mountains National Park located in west Texas, but it doesn't say anything about wilderness area, and Guadalupe Mountains National Park has 46,800 acres of congressionally designated wilderness. It does mention that Carlsbad Caverns has some wilderness, but it doesn't mention that Guadalupe has natural wilderness, and I think that's an important component that needs to be addressed in this document.

DC-8

And I would like to clarify where in relation to Guadalupe Mountains aircraft are going to be flying, and in relation to Carlsbad Caverns as two of the, you know, closest national parks in this area. Visitors to national parks visit national parks for natural quiet and solitude, particularly visiting national parks that have been designated wilderness, and while in those parks and wilderness areas they expect it to be quiet, and a single event aircraft flying not even overhead but nearby will

C-9

disturb that natural quiet and solitude that congress decided to designate these areas to have that quality. Even if the aircraft is not flying directly overhead but maybe adjacent -- and I don't know right now how close these training grounds are to the national park. You know, is one boundary of the training ground right on our boundary? Is it a mile away, is it two miles away? That hasn't been determined yet. So if an aircraft is even a mile away from the national park, it's going to impact visitors that are camping or just visiting the national park in those areas. So that should be addressed in this document.

DC-9

Also, our wildlife in the national park, they don't stay right on the boundaries. You know, when they fly away from the national park, particularly raptors, they get to the park boundary, well, they're not just going to stop going to continue on. Well, are they going to continue on and get into the military training route? Maybe, and that has not been addressed in this document. We do have peregrine falcons, we do have spotted owls, we do have some other species of concern. I know the U.S. Fish and Wildlife Service is in consultation with the U.S. Air Force on this

DC-10

document, and I'm sure that they're going to insist on this document to address those issues before they're going to stamp their approval on it. I know that the EA has a statement that they're going to wait for the Fish and Wildlife Service to make some determination before they implement that, and it may impact the environmental assessment for the modified airspace routes, and it may impact the environment assessment, or the environmental impact statement here, also.

So the national park service does have, I have some valid concerns on this environmental impact statement and on the final environment assessment on modified airspace in this area.

Thank you for your time.

JUDGE HUELPEL: Thank you. William Morrell would be the next speaker.

MR. MORRELL: This is a written copy of my comments, if you'd like it.

JUDGE HUELPEL: Thank you.

MR. MORRELL: Also, you may not be able to tolerate well with the Yankee slang, so there it is.

Good evening. Thank you for this opportunity to express my opinion, my technical

conclusions. My name is Bill Morrell. I'm a retiree that lives about three miles north of here. I've concluded that their acoustical data on this report is very optimistic. I've concluded that you'll be in violation of the OSHA regulations, even though you state that you will not.

DC-11

Technically I have in past lives served as a project engineer and a program manager for reducing radiated noise from submarines, and also I've served as a test engineer, program manager and whatever else on certification of sonar systems and other acoustical measuring devices, again, in the area of nuclear submarines.

Now, what I have to say, unfortunately, is pretty boring and complex. My wife made me take all the jokes out of it, so I apologize for the dryness. But I'd like to go over the points, if you don't mind. First of all, on the OSHA requirements, there are requirements for when ear protection is needed, and both your preceding documents, which was the one that this was based around, but the two parallel each other, the preceding document stated that the closest you'd ever come is 114db, one less than 115db, which is the threshold of where hearing protection would be needed for any exposure of over

15 minutes. And, unfortunately, you didn't read all of the fine print in the OSHA regulation. If you go to section -- and it's written down there in the second comment. You go to section 1910.95J3, it seems to lower that requirement by 5db, and, again, seems, it would be a lawyer interpretation. It's not written simply. So you had a cushion there of seemingly 1db. That level for 15 minutes, of course, is a big cushion for you, but I feel you're going to feel fire over that, and you're going to have hearing protection required on occasion for Mr. Jones and Mr. Duggar.

DC-11 Now, on page S-5 of the preceding document, the one for the first beddown, you say inadvertent overflights by PA-200s on MTR -- I guess that's military training mission or such -- would generate single sound exposure levels up to 112db at 100 feet above ground level. Now, based on that statement plus your past track record, there are going to be inadvertent overflights, low flights, like that. The last year I heard a rancher say he could see a pilot in the cockpit, and he went down and went through a lot of gullies and bushes and so forth, so it's going to occur on an F-4 on B-1. Then we're talking about 100db, and one document of

your documents says 125 and 130. In general, I think you're horribly optimistic in the worst case, which is not at all unusual.

And another fact to be considered was the DC-11 El Paso newspaper yesterday, I believe, said that it was talking about flights out of Kirtland Air Force base and the Indians were describing it as an ear-piercing level. That's what has been my experience, personally, and I don't see that this is going to be any different.

Next, your sound level calculations. You consider atmospheric absorption, which is going to reduce the level, and consider other things that will reduce the level, but nothing that will amplify it. It's just one-sided. For instance, cold air focusing of the acoustical energy. I can sit out in DC-12 front of my place morning and night and there'll be irrigation pumps. Sometimes I'll hear them, then they'll fade on out as the cold air moves around a bit, and then they'll come back in. They go from not being heard, that is less than 0db up to low conversational levels, probably about 40db, although I say the shift there is only -- I say 30db plus.

The point is, when that plane goes over if there's cold air around, you know, cold air slows

down the sound rays and forces them down. In cold air that noise level is going to be drastically increased; you make no provision for it in your Pollyanna study.

DC-12

Now, a reflex of sounds off mountains. Look at the Guadalupe Mountains out there, how steep they are. You're going to go screaming by there and I don't know how far -- close to the salt flats level. You're going to have acoustical energy bouncing off that mountain down into the ranchers by there. To a lesser extent it's going to happen I think in Mile High and Sacramento Mountains and such. And just another statement here, that based on what the ranchers have said in the past, you certainly are going to be violating the OSHA regulations.

DC-13

Now, in the last hearing a couple -- here a couple of weeks ago I asked -- I more or less stated that the noise readings didn't look right to me, and I got a rather lengthy lecture on the inverse square. In college I slept through a lot of those lectures, but I got a good one that night, and also a lecture on management indicators. We discussed them so much that I needed upper gastrointestinal relief. But when I look into it,

one fact I did get out of that guy. The Colonel did give me one specific fact. He said, in essence, we adhere to the inverse square law. If you double the distance we reduce the level by 3db. So I look at the tables. Lo and behold, you never reduced the level by less than 6db. Sometimes you reduce it by 13db. I mean, there's probably a technical rationale, high frequency, or it's affected by the air or whatever, but that much doesn't make sense, and it's certainly different than what you fed me at the meeting before.

DC-14

Now, the -- what Bobby Jones mentioned before about that one event, and your averaging it out over a day. The Air Force -- incidentally, Molly Syler -- she's not here tonight -- a pilot and retired math teacher, mentioned that some of the calculations, the one that Bobby mentioned is akin to taking a guy, putting one hand in a bucket of boiling water, the other hand in a bucket of dry ice. Now, one hand is at 212 degrees, the other is at minus 12 degrees; it averages out at 98.6. Everything's fine. That's how they do their 24-hour day calculations.

DC-15

To be a little more specific, by their methodology you can have an F-4 screaming by off the

deck at maybe 135db. For the other 23 hours and 56 minutes of the day, you've got mockingbirds and coyotes at about 40db. You average it out, and that 135db is masked. It's gone. You're coming up with something like 50db, a very harmless figure. So, anyway, that's how that methodology works. Try it on a policeman if he stops you for speeding. It doesn't work.

DC-15

Okay. Now, the proposed low flies are in violation of Executive Order 12088, Federal Compliance with Pollution Control Standards. The finding of no significant environmental impact that we heard a few weeks ago should be rescinded, and then you've got me if you want any more from me.

JUDGE HUELPEL: Before you go I'd like to try to clarify something for the record. When you were talking about the prior document and when you were talking here about the hearing last week, are you talking about the environment assessment that was being done?

MR. MORRELL: Yes. I think last week, whatever it is, we had a final environmental assessment. Right.

JUDGE HUELPEL: I just wanted to make sure on the record what you were talking about was the

environment assessment.

MR. MORRELL: Right. The two documents do parallel each other although, for instance, in OSHA your document doesn't give quite as good specifics as the other. But to me they're both applicable, even though on occasions in the tables you find the 5db difference.

JUDGE HUELPEL: Okay. Thank you very much, sir, and both your oral and your written statements will be a part of the record and will be addressed.

MR. MORRELL: Thank you, Colonel.

JUDGE HUELPEL: Well, the last card I have is James Lynch.

MR. LYNCH: Thank you. I'd like to record an objection to the program that you're about to undertake to bringing in of the extra 30 aircraft, and also request that you cancel the existing 14. If that is not possible, or if that is not what you will do, then I would request that you consider some type of compensation to those of us landowners that are going to be severely impacted by these overflights. We have considerable land that will be overflown by your aircraft that's going to reduce the value, we feel.

DC-16

DC-17

It's going to curtail our farming and ranching operations, and perhaps you could work out a plan like the oil companies bring in. They often lease our land for five years or 10-year periods for a nominal rent per acre. The movie people do the same thing. They come in and use your land for a period of time, they pay you an agreed amount. Same thing with the professional photographers and artists. All of them pay their way, and this is probably the only undertaking that the U.S. Air Force is undertaking where you're not willing to pay your way, and we'd like you to consider that to give us some type of compensation for the imposition that you're going to -- about to impose on all of us.

Thank you.

JUDGE HUELPEL: Thank you, sir. Now, that's all the cards that I have. Did anybody turn in a card whose name I didn't call?

Okay. Well, let me ask one last thing: Is there anybody who didn't turn in a card who now would like to get up and make a comment?

Okay, sir. If you'd come on up and if you would state your name, please.

MR. PERRY: My name is Leroy Perry. I am an owner of patented lands of the Otero patent just

across the state line in New Mexico, which is directly under this program. I believe this land has certain underground and certain mineral and surface -- and I'm not aware of the aerial rights, if any, that I'm not aware of. DG-18

I also own a drilling rig which is moved about the valley here on short notice; the derrick is approximately six-something feet high. And it's been my witness up at the Hermadeen place, with the topography of the land -- a 135 came flying down the canyon with absolutely no noise, came by that rig and at about three wing lengths from this machine I was looking on level with the cockpit. Undoubtedly, gentlemen, this is hazardous to mine and your materials. In a few minutes here come two fighters chasing this plane, I presume. He came and he turned over the Louis Ranch and went up to B-135, turned up Cornucopia at a distance of approximately five miles we had no trouble whatsoever hearing his afterburners that he turned up great, still below eye level across this terrain.

Now, gentlemen, we don't know what to expect from the military. I have reason to believe and to doubt some of their procedures. On military records, that hand is a stiff index finger. It's

not stiff, it's paralyzed. And a few other incidents which also involved Trinity Site, of which I am also, I believe, but not proven, a victim. I have physical features which very parallel to 39 head of cattle that were sent back to Elk Ridge. My nephew knelt in the nuclear debris at Trinity Site just very shortly after. I have operated drilling machinery that went through the sand at Trinity Site a day and a half after the explosion by orders of the U.S. Government. Gentlemen, we doubt sometimes the message that's given to us, classified and unclassified.

I thank you, sir, but we are apprehensive.

JUDGE HUELPEL: Thank you, sir. Is there anybody else who has not spoken?

MR. DUGGAR: I want to speak and say one more thing.

JUDGE HUELPEL: Okay, sir. If you would just remind me of your name.

MR. DUGGAR: I'm Greg Duggar.

JUDGE HUELPEL: Thank you, sir.

MR. DUGGAR: And, again, I challenge all of you people from the military to visit our ranch homes in this desert, more in particular

Mr. Jones or myself. And have an overfly at 100 feet, and let's record it and let's play it in a building such as this and let you be the judge if we have lost property value.

Thank you.

JUDGE HUELPEL: Thank you, sir. Now, is there anybody else who has not spoken who would like to speak?

Well, I do appreciate your comments. They are a matter of the record. They will be addressed, and I appreciate your involvement in the process tonight because, as Mr. Johnson indicated, the whole thing is to try to make a better decision, and I understand what way most of you would like the decision to be, but if somebody wasn't speaking for your part, then the decision-maker wouldn't know your position.

So I do appreciate the input that you have given, and if you or your neighbors would like to make further input, you have on those written comment sheets or you can take some with you, the address to where they need to be sent to, and they're I believe also on the fax sheet. As long as they're received by the 4th of August, they'll be addressed in the final EIS. I've got about 8:00

now. I want to thank you all very much, and please have a good evening.

(The hearing concluded at 8:00 p.m.)

CERTIFICATE

I, Tara K. Taggart, Registered Professional Reporter and Certified Shorthand Reporter of the State of Texas, do hereby certify that the above and foregoing contains a true and correct transcription of the proceedings of the Environmental Impact Statement.

Certified to on July 16, 1997.

Tara K. Taggart
CSR, RPR
Texas CSR No. 6594
Expires December 31, 1997
(22314)

Look-See Concordance Report

UNIQUE WORDS: 1,902
TOTAL OCCURRENCES: 5,679
NOISE WORDS: 389
TOTAL WORDS IN FILE: 13,297

SINGLE FILE CONCORDANCE

CASE SENSITIVE

PHRASE WORD LIST(S):
JOHNSON.PHS

INCLUDES ALL TEXT OCCURRENCES

DATES OFF

IGNORES PURE NUMBERS

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7/8/97

Comments on the Noise Analysis in the AF Final Environmental Assessment (6/9/97) for additional German AF training flights

Subject document states (page 4-9):

"OSHA has established permissible noise exposure levels (29CFR 1910.95) that establish thresholds in sound levels and duration of exposure at which hearing protection is required. Exposure below those levels are considered permissible. The cumulative amount of time per day that a person can be exposed to a noise level of 115dBA without hearing protection is 15 minutes. For comparison, the highest sound exposure a person could experience under the proposed action is 114dBA, for about 1-2 seconds...."

This statement appears incomplete and erroneous because:

1. The OSHA regulation cited above has additional requirements (section 1910.95(j)(3)) that seem to lower the hearing protection required threshold by 5dB for people with hearing degradation. Approximately 70% of the men in the Dell Valley older than 40 have hearing degradation. Accordingly, often the OSHA requirement appears to be 110dB, not 115dB and the 114dBA level would seem to be in the hearing protection required for each exposure.

DC-19

2. Page S-3 of the Subject Document states:

"Inadvertent overflights by PA-200s on MTR would generate single sound exposures levels of up to 112dB at 100 feet AGL."

Based on past performance there will be "inadvertent overflights" and when it's by an F-4 or a B-1, the sound level will be in the 130 dB range. (The AF documentation is inconsistent, one says 125db, another says 130 dB for an F-4 at 100 feet AGL.) That's in the ear piercing range like what the Indians North of Kirtland AFB are complaining about (per the 7/7/97 edition of the El Paso Times).

"These "inadvertent overflight" will occur and will violate the OSHA requirements.

3. The AF sound level calculations consider atmospheric absorption (attenuation) of sound, but do not consider:

A. Cold air focusing of the sound. But in the Dell Valley cold air pockets can make a 30+dB difference in the sound level of irrigation pumps 2500 feet away.

B. Reflection of sound off mountains. Low flights just west of the Guadalupe Mountains could have drastically amplified sound levels because of the near vertical sides of the mountains reflecting noise. This could also be significant near other mountains in the area.

4. Statements by ranchers clearly shows that the OSHA hearing protection requirements have previous been violated many times. The above technical analysis indicates there will be frequent violation of the OSHA requirements.

At the June 23, 1997 EIS hearing at Dell City the USAF spokesman said that the AF noise calculations were in accordance with the inverse square law for energy propagation. He specifically stated there was a 3dB reduction when distance was doubled. A review of the data shows that statement is wrong. From 6 up to 13dB reductions were made when distance doubled. That's not flying straight.

DC-19

The AF noise calculations appear to be optimistic, there are no worst case calculations. When I worked for the USAF, engineering analysis always included worst case calculations.

The AF noise calculation methodology averages noise over a 24 hour period. By the AF methodology an F-4 can scream along just off the deck at 135dB, then it's noise level is averaged in with 23 hours and 59 minutes of mocking birds singing and coyotes howling at 40dB. The reported level would be about 50 dB, a large misrepresentation. The methodology was developed for airports and neighborhoods with many flights. As used in the report, it completely masks occasional intolerably loud noise.

The proposed low level flights are in violation of Executive Order 12088, Federal Compliance with Pollution Control Standards. The finding of no significant environmental impact should be rescinded. If there are any questions, I can be contacted by Tel. at (915) 964-2487, Email:dmorr94028@aol.com, or PO Box 215, Dell City TX. 79837.

W. H. Morrell

Stringer Ranch 97.07.07 Acc Dell City

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Thank you for your input.

DATE: 7-8-97

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Thank you Sor coming to Dell City Community Bldg. To visit with us. We have 11,000 acres 16 miles north of Dell City in So. Otero Cty. I am 71 yrs old and have spent the last 30 years developing a workable Ranch & Quarter & Thoroughbred Horse operation. My Place has been appraised at ½ million Dollars. If you Start the Germans operation I believe our property value to drop to 2.1+.

Have you ever worked a yearling Colt with an airplane over your head w/ all Lites wide open. well Today I had (2) colts in a rock pen giving them their Baths & Halter Training When your regular Slight planes came over don't even want to hear the rest of Story I wound up getting the Bath and getting off the ground

Our County was originally named Cienaga which means (water, under ground water) after Dell City got through pumping all of it we have a hollow ground which creates large Sink holes I believe the noise of these planes will create more Sink holes and Rock slides. We are very against it

If you want to pay me $50,000 for my place then you Can do what you want to with it. We have put up with your Slights for the last few years Because you were training Our Men. I have no use for the Germans Air Force as I

•••• CONTINUE ON BACK FOR MORE SPACE •••• → remember

NAME: Stringer Ranch

ADDRESS: P.O. Box 598

CITY: Dell City

STATE/ZIP CODE: Texas 79837

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Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

SECTION 3.0

TRUTH OR CONSEQUENCES, NEW MEXICO
PUBLIC HEARING TRANSCRIPT

JULY 9, 1997

PUBLIC HEARING

ON THE DRAFT EIS FOR THE

PROPOSED EXPANSION OF GERMAN AIRM FORCE OPERATIONS

AT HOLLOMAN AIR FORCE BASE

HELD ON

JULY 9, 1997

AT

TRUTH OR CONSEQUENCES ACTIVITY CENTER

400 WEST FOURTH

TRUTH OR CONSEQUENCES, NEW MEXICO

6:00 P.M.

AT THE HEAD TABLE:

COL. JIM HEUPEL, USAF

LT. COL. DON HARGARTEN, USAF

SHERYL PARKER

BOB JOHNSON

JUDGE HEUPEL: Ladies and gentlemen, I want to thank you for coming out tonight. This is the public hearing on the draft environmental impact statement, or we will refer to it throughout the evening as the draft EIS for the proposed expansion of German Air Force operations at Holloman Air Force Base.

I am Colonel Jim Heupel.

Before any discussion to expand the current German Air Force presence at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an environmental impact statement before the Secretary of the Air Force makes any decision.

Part of the process involves receiving public comment on the draft EIS, which was written over the past year following scoping meetings last summer. At the scoping meetings, the public was asked by the Air Force for input on the scope or the range of issues that should be studied in this EIS. This part of the process enabled the Air Force to learn about any issues involving the expansion of the German Air Force at Holloman that were not previously identified. The

relevant comments gathered during the scoping are included in the environmental analysis. This analysis is contained in the draft EIS, the contents of which are the subject of tonight's hearing.

Now, the draft EIS had been distributed for public review and comment based upon input received during the 45-day comment period, additional analysis will be evaluated and/or performed, and changes will be made to the EIS as necessary.

If you have not had an opportunity to read the draft EIS before tonight's meeting, you are encouraged to do so as soon as possible.

Now, there are fact sheets with a listing of the document locations over at the sign-in table. They are holding those up. Actually, there's a total of seven different fact sheets. They consist of 14 pages. And I am making these an exhibit to the final environmental impact statement, because anything that is handed out to you tonight--whether it be these sheets, or whether it be the display boards that you had an opportunity to look at and which have been reduced to legal size sheets of paper, these also will be made a part of the final EIS. Everything that is presented to you by the Air Force tonight will be in final environmental impact statement.

And there is a copy of the draft environmental impact statement at the Truth or Consequences Public Library, as well as in Las Cruces, and some of the other surrounding areas.

Going back to these fact sheets, there is a summary of the draft EIS contained in these documents, particularly a summary of the potential environmental impacts. And then, the speakers tonight in the first portion will also be addressing those, particularly for those people who have not had an opportunity to go through the draft EIS.

So these are the two goals tonight for this hearing. The first is to provide you information about the analyses of the potential impacts to the environment resulting from the Air Force proposal. And the second part is to receive your comments on the analyses. This will help the Air Force address all the concerns about the proposed actions, because comments received during this comment period, which actually started on the 20th of June and runs to the 4th of August, will be responded to in the final environmental impact statement. Tonight's hearing is the third of six to be held in various communities in New Mexico and Texas.

Now, before introducing members of the panel, I

would like to explain my role in this hearing. I am the chief trial judge for the Air Force, so I primarily preside over criminal cases. I am not involved with this draft environmental impact statement. I am not an expert on it, and I am not here to advise the Air Force representatives who are going to be addressing the proposed action. My purpose is to ensure that we have a fair, orderly hearing, and that everybody who wishes to be heard has an opportunity to speak.

Now, let me introduce the other members of the panel. To my immediate right, Mr. Bob Johnson who is from the Holloman Air Force Base environmental office. To his right is Ms. Sheryl Parker, who is from the environmental office at Air Combat Command's Environmental Office headquartered at Langley Air Force Base, Virginia. And to her right is Colonel Don Hargarten, who is the Assistant Deputy Commander for the 49th Operations Group at Holloman Air Force Base.

We also have Mr. Mike Porter to my left, who is a court reporter who is taking down word for word everything that is said tonight so that it will all be a part of the final impact statement, both what we present to you and your comments for the record.

Now, to give you an idea of the schedule. In just

a moment, Mr. Johnson will spend a few minutes to provide a short summary on the environmental process, and what you can do to provide input as to what goes into the final impact statement. Then, Colonel Hargarten will present information on the proposal and the three options the Air Force is looking at in order to facilitate increased German Air Force operations at Holloman. After that, Ms. Parker will review the analysis of potential impacts to the environment from the proposed actions and training option locations.

Now, following the presentations, I will consider any clarifying questions over what they just presented. If there is something that you didn't hear or you weren't sure about what they presented, I'll entertain questions to clarify what they presented.

After that, we will take about a ten-minute break. And following that break, we will come back and have the public comment portion of the hearing. Now, when we do that, I'll go over the oral comment procedures. And I do want to point out, because this hearing is on the environmental analysis from the draft EIS, we are unable to answer non-environment types of questions during the meeting, but the Air Force will make sure your questions are answered or comments addressed in the final EIS. And if you have

questions that are part of your comments in that comment period, those will be addressed in the final EIS document itself.

Now, you can comment at this juncture in one of three ways. Well, actually, you can do it in all three ways. There is a written comment sheet I am holding up. You can fill this out here. There are tables over at the side of the auditorium if you want to sit down and write out your comments before you leave and turn them in. That's fine. If you have something already prepared and you want to turn it in tonight, that's fine. You can make oral comments tonight. And the third way is, you can send in comments, whether it be on this sheet or a number of pages, sending it in to the address that's at the bottom of the comment sheet, as long as it's received at the Langley Air Force Base office by the 4th of August. The Air Force will address your comments and issues and questions that you may raise tonight. And you can do any or all of those. And it doesn't matter, you know, your comments will be considered the same, will be given the same weight, whether you make oral comments tonight or turn in written comments tonight, or send in your comments later on.

Now, when we come back from the break, if we have

any elected officials who are speaking on behalf of this constituency, I will call on them to speak first. I will call on members of the public in random order.

I have got a quite a few cards for people who have signed up to speak. If you haven't indicated that you want to speak, I would ask you to fill out a card. If you have already turned in your card, just ask them for your card, tell them you want to speak, and they'll get it to me. That way, I'll be able to call on you.

Right now, with the number of people, I am - - basically, I am going to have about a five-minute time frame. At the end of five minutes, I'll just raise my hand and ask you to finish the thought you are on. I am not asking you stop when my hand goes up. Finish the point you are working on and then conclude, so everybody else will have a chance to speak. We may well have other people come in as we go along who also wish to speak.

Now, let me call on Mr. Johnson, who will talk about the EIS process, first.

MR. JOHNSON: Good evening. Can you hear me?

Good evening, my name is Bob Johnson. I work as a National Environmental Policy Act or NEPA Specialist

in the Environmental Flight at Holloman Air Force Base. First, during the next few minutes, I will provide you with some general information about the Act that serves as the basis for these hearings.

First, what we intend to accomplish; what's involved in the process; and what your role is in that process. And I will also give you the schedule as it relates to our proposed action that we are evaluating.

NEPA, which was enacted in 1969, requires that we, as a federal agency, before we do something, we must first analyze and document the environmental impact of that something before we proceed with our proposed action.

The NEPA document is meant to provide a clear, unbiased discussion of any potential environmental impacts relevant to the proposed action and alternatives. This analysis is intended to serve as a clear basis for choice and should avoid lengthy discussions of issues not relevant to the proposed action.

This leads me to a key point that is found in the NEPA regulations. And it's found in the purpose section, and I would like to quote it.

Ultimately, of course, it's not better

documents but better decisions that count. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent action.

Everything the Air Force has done up until now, and will do with this document, and everything we will do here tonight, points toward the day when the decision maker makes a record of decision. Our responsibility as employees of a Federal agency is to ensure a full and objective environmental impact analysis is performed for all components of this proposed action.

Is the EIS the only factor the decision maker takes into consideration? No, he or she must also consider technical design issues as well as monetary costs. Other factors that could be taken into consideration include values of the local public, as well as input from elected officials.

Once the decision is made, is the Air Force committed to implement the selected action? No. The final action in the NEPA process is the record of decision. And it is just that, a decision. If the decision is made to bed down the additional 30 aircraft and build the needed facilities, other constraints may cancel the proposal. The Air Force

would not be legally obligated under NEPA to implement the selection action.

In other words, to use a phrase our team has heard a lot related to this and other Air Force proposals, "this is not a done deal." It is far from it, and possibly may never become a done deal. The only decision made thus far is to proceed with the environmental impact analysis. The decision of whether or not to do the something and how to do it won't be made until the analysis is complete, hopefully this December.

I said I would tell you how you can be involved in the process. The judge earlier told you what specific methods can be used to provide your comments. The primary thing you can do is to ensure your comment is relevant to the issues at hand. We are here to receive comments on the draft environmental impact statement. We are looking for feedback on environmental issues you might feel are not adequately addressed or not addressed at all. Perhaps you are a member of the Audubon Society and are aware of endangered species in this region which we failed to analyze in the document. Maybe one portion of a discussion in the document was very confusing to you and you want to offer some suggestions on how we can

make the explanation clearer. These types of comments are helpful to us and will be taken into consideration as we continue our analysis.

We won't, however, enter into a debate with anyone about the Air Force's policy on training or issues related to the NATO alliances. If you have questions along these lines, I would refer you to the draft EIS chapters one and two, and also to our fact sheets. These provide the Air Force's reasons for what we are proposing, while fully realizing that not everyone will be in agreement with us. Again, our focus here tonight is the environmental impact of what we are proposing.

We don't have to have all input tonight. If you think of something tomorrow or the next day, send us your comments in writing. The comment period will be open until August 4th. The mailing addresses are on the fact sheets that you may have picked up, and also on the comment cards.

So where are we at in the NEPA process? Like all proposed actions evaluated under NEPA, there is a schedule or time line that we are doing our best to adhere to. On this slide, you can see the key actions required by the National Environmental Policy Act.

Of course, right now, we are in the public hearing

phase, July 7th through 12th.

The comment period which started June 20 runs through August 4th. And immediately after that, we will begin incorporating all the comments we have gotten from our meetings concerning the analysis and will start on the final EIS.

Our projected publication date for that document will be early November. And we are hoping to have a signed record of decision in early December.

I hope that the information I have provided has given you a clear understanding of what NEPA requires, why are we holding these meetings, and what we are trying to accomplish. Again, our goal is to ensure the decision maker makes an excellent decision that leads to excellent action, one that will allow the Air Force to accomplish its mission while protecting the human environment. They go hand in hand.

This concludes my portion of our presentation.

JUDGE HEUPEL: At this time, Colonel Hargarten will brief you on the proposed action and the alternatives.

COLONEL HARGARTEN: Thank you, Judge. I am glad to be here tonight to provide an overview of this proposal to expand the German Air Force's operations at Holloman. Before I get into the

specifics of what the Air Force is proposing to do, I would like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950s, Germany has demonstrated a commitment to its NATO role. German aircrews have been training in the U.S. in fighter aircraft since 1957. They have trained in F-84s, F-104s, F-4s, and PA-200 Tornados. Since 1992, the U.S. has provided German aircrew training in F-4s at Holloman Air Force Base. And I was commander of that squadron for two years. And the U.S.-German partnership was clear to see, as we hosted German Air Force pilots to help ensure our allied German aircrews are trained to the same high standards as the U.S. pilots.

This partnership has been especially useful since the end of the cold war, as multinational allied actions became an even more important means of protecting our national security and promoting stability around the world as the Soviet superpower and Communist Bloc in Europe fell; and as the U.S. began to withdraw its forces from Europe. All of these factors have made readiness and training more important than ever before because of a changing international environment, a greater diversity of

threats and risks, and a reduction in U.S. military budgets. This policy is reflected in the current National Military Strategy which emphasizes international training and military exchanges.

For this approach to our defense to succeed and for U.S. and Allied forces to be safe, we must provide both U.S. and Allied aircrews with the highest caliber training. Combat readiness requires constant training, and that is another reason behind this proposal. The U.S. and its allies must train the way they intend to fight. Responding to the government's new military strategies and increased risk demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training: Low altitude training, air-to-air training, and air-to-ground training. Proficiency in all three is vital.

We want to ensure that people fighting alongside us are just as combat ready as we are. Holloman is well suited for further growth in the German Air Force training mission. In addition to having the infrastructure to support the 12 Tornados already available at Holloman, the base offers available land, air space areas, support facilities, local community

support, and the benefit of being located near the German Air Force Command Headquarters at Fort Bliss near El Paso, Texas. These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness, because it provides realistic training opportunities.

But another integral part of our mission is serving as a good neighbor and good steward of the environment. That makes it important to us that you assist in this decision-making process of this proposal. And any time you have concerns about our operations or activities, our public affairs phone number is (505) 475-5406.

Community input has already led us to define avoidance areas or to raise minimum flying attitudes over and distance from specific sensitive areas. We also work with the Federal Aviation Administration to reduce potential impacts to civilian aviation by providing advanced notice when we are using many air space areas.

In our role as caretakers of the environment, we believe environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our installations to sustain

diverse environment and monitor the conditions of natural resources, including air and water quality, and land condition, to ensure there is little or no degradation. We work closely with agency such as the Bureau of Land Management, the U.S. Forest Service and the U.S. Fish and Wildlife Service to protect and enhance resources and minimize impacts to sensitive areas.

Now, I'll outline the main components of the proposal to expand the German Air Force's presence and establish a German Air Force Replacement Training Unit at Holloman. The Replacement Training Unit would function as a school for German Air Force Tornado aircrews. First, the proposal includes facility construction and relocating an additional 640 personnel to support training of German aircrews in the 30 additional Tornados.

Second, it includes aircraft training in airspace throughout the region.

And third, in order to meet the needs of the Tornado aircrews, three training options are considered within the proposed action: Construction and operation of a new air-to-ground tactical target complex at one of two locations on McGregor Range, or use of existing military training ranges at White

Sands Missile Range and Melrose Range near Clovis, New Mexico, to accommodate training requirements.

This beddown of 30 additional Tornado aircraft would require construction of administrative and academic buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities, and hangars and dormitories on Holloman Air Force Base. Construction would total over $100 million. All of the construction and relocation expenses would be paid for by the German Air Force.

A variety of air space is needed to support the German Air Force Mission. Airspace needs include military training routes for low altitude maneuvers; military operations areas, or large areas of air space where military aircraft practice air-intercept training; and areas restricted to military use. The proposed action would result in an addition of approximately 2,800 additional sorties on military training routes; 3,200 additional air-to-air or dogfight sorties in military operations areas or restricted areas; and 2,600 air-to-ground range sorties per year. Aerial refueling operations would also be performed. These sortie numbers are not cumulative. By that, I mean you can simply not add up all those numbers and arrive at a total number of

sorties that would be flown by additional airplanes. A single sortie may include use of a low-level training route, then performing in-flight refueling, then use of military operations for air-to-air training, and finally delivery of training ordnance on an air-to-ground range.

Currently, the majority of tactical air-to-ground training is conducted in White Sands Missile Range. According to national policy, White Sands' mission of research, development, test and evaluation has priority over Holloman's training mission. As a result, it is presently difficult to get adequate time to train in White Sands' airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features at the Red Rio and Oscura target complexes preclude their use for training in certain types of munitions deliveries.

We are looking at three options to meet the air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range, which is controlled by the Army's Fort Bliss. One option is a location on western Otero Mesa, and the second option for the new target complex is a location in the Tularosa Basin portion of the

range. If a new target complex were to be built, it would be comprised of a 2 x 4 mile impact area within a 12 x 15 mile safety area. Construction activities would be primarily confined to the 2 x 4 mile impact area. No live ordnance would be used on the new target complex.

Although not operationally desirable, the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura on White Sands Missile Range west of Carrizozo, New Mexico, and Melrose Range near Clovis, New Mexico.

These training options differ only with respect to utilization of airspace and ranges. Aircraft would access either of the new target complex options or the existing ranges using military training routes.

Now, we will review a few slides to show you where some of these ranges and where some of the low levels are located.

On this slide here, Holloman Air Force Base is located in the middle here where the red dots are. The blue area just to the west is White Sands Missile Range. Just to the southeast is McGregor Range, the MOA, or military operations area. The green one is McGregor, and the yellow is the Talon MOA, and this

piece is Oscura up here in blue.

As I said, there would be 2,300 sorties flown, primarily in the White Sands Missile Range, McGregor, Talon, and some sorties to the Pecos. We are will not be using the Valentine MOA out here to the east.

This is a very busy slide. What it shows color coded are the various low-level routes or military training routes that are in our local Holloman site. In the green circle in the middle here, again you see White Sands Missile Range. The routes on here are as I briefed them previously. The 2,800 sorties will be on these military training routes as shown. Truth or Consequences sits over here. And the closest low-level route is VR-176, which comes by to the east of Truth or Consequences.

This slide shows the local air-to-ground ranges we train on in Holloman. Holloman Air Force Base sits down here in the middle. This is a 100-mile circle just to give you a feel for relationship of the different ranges.

Red Rio is a tactical range that sits 45 nautical miles to the north of Holloman. A tactical range means it has different tactical targets that the air crew trains on: A simulated airfield complex, an industrial complex, surface-to-air missile sites,

convoys and anti-aircraft artillery site. It does have a single live-drop target on it.

There would be no live drops if a new bombing range is built. There would be no live ordnance dropped on that range. It is not a secured range or main range.

Just to the south of it is Oscura Range which is 35 miles north of the base. It's a conventional range. It has just a few tactical targets, but it has two concentric circles--which is a target with a concentric target around it--where the fighter aircrews can practice. It is manned, and it is a secured range. And it does have safety at that range.

On McGregor Range, there is a class C target. What that means is a single target on the ground with concentric targets, and it is not scored. And it's not marked. 145 miles to the northeast is Melrose Range, which is near Cannon Air Force Base. It's both a conventional range and a tactical range.

Dona Ana Range is located to the southwest. That is not presently used by the Air Force. The Army uses that for the live artillery firing and some of their maneuvering exercises.

Under the existing range option, the range listed

in red, Melrose, class C McGregor, and Oscura would be used under the existing range option, if a new tactical target was not built.

This slide is a slide of McGregor Range showing the two locations, potential locations, for building a new tactical target complex. To orient, Orogrande sits over here to the west. This is County Road 506. Those of you that are familiar with it, that cuts through the range. Just to the north of it is a power line. If you have a chance to read the EIS, it references to "on the mesa," "off the mesa," that is defined by an escarpment that runs along this green line right here and is a several hundred foot elevation change. So this is referred to in the east as being on the mesa, and this is the Tularosa Basin, and is often called off the mesa.

What this slide shows is the two potential locations or two of the options. One of them is on the mesa, and this has a 2 x 4 mile area here on the mesa.

This is a 2 x 4 mile area on the four mile area in the Tularosa Basin which will have to be restricted to public sportsmen and ranchers 24 hours a day. However, and it - - if you can see it, there is a light red area here that goes out 27,000 feet around

each of these potential locations. And that's the safety fan. Access would have to be closed to the public when the range was in use; however, on weekends when the range is not being used the public could go inside that safety fan in the hunting season, and ranchers can check on their cattle.

This line represents water pipes that come down here and provide water for the ranchers' use. For one, that goes into this location on the mesa, and that would have to be moved. And Ms. Parker will talk about that shortly.

The other - - these other green lines on the map, what they represent are boundaries for different grazing units. Notice there is grazing up here on the mesa. There is no grazing in this area of the Tularosa Basin. This option on the mesa splits two different grazing units.

The airspace that would be used could include modified military training routes and restructured airspace in southern New Mexico and west Texas. That was contained in a separate proposal by the Air Force and addressed in a final environmental assessment or EA entitled Proposed Air Force Modification to Support Groups at Holloman Air Force Base, New Mexico. That action also involved the establishment of an air

fueling route. This EA has been approved by the Air Force and is undergoing review by the FAA.

If this airspace modification is not implemented, existing airspace would be used to support the increased Tornado aircraft. These differences in airspace availability and utilization are taken into account in the analysis of the impacts in the EIS that we are addressing - - Ms. Parker will address these impacts shortly.

In addition to the proposed action and its three training options, the EIS includes the no-action alternative, which analyzes the environment without the additional aircraft and air crew relocations, targets, aircraft, construction or change in airspace utilized.

This alternative does include some other actions that have already been adopted, such as the change from F-111 to F-16 aircraft at Cannon Air Force Base.

The proposal to expand German Air Force operations at Holloman is important to our country, because it advances our international and national interests through a strong, well-trained, allied team. The fact that military units are much smaller today requires constant military training, now more than ever before. And central to this proposal and our ongoing

mission is our responsibility to serve as good neighbors and stewards of the environment.

Thank you for your attention. I appreciate the opportunity to make this presentation to you tonight.

JUDGE HEUPEL: Ms. Parker will now summarize the potential environmental impacts associated with the Air Force proposals and options.

MS. PARKER: Thank you, Colonel Heupel. I have to get situated. I am pleased to be here tonight.

This draft EIS describes the environmental impacts associated with the implementation of the proposed action, which is to relocate 30 more German aircraft and associated personnel and support facilities to Holloman, as well as the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of our proposal: Construction at Holloman to support the additional aircraft, personnel and programmatic needs; training throughout the region; and three training options to meet the air-to-ground training requirements.

We looked at three options to satisfy the need for increased air-to-ground training. Two of these options involve new construction on McGregor Range,

and the third option would increase use of existing ranges.

We also looked at the use of airspace in the region. As Colonel Hargarten mentioned, the Air Force has requested that the Federal Aviation Administration approve modifications to military training routes in New Mexico and southwest Texas and the Talon military operations area in New Mexico. The draft EIS examines the environmental effects of the proposed actions both with and without this modified airspace. Also, as mentioned previously, we examined the no-action alternative, which considers not implementing the proposal and thus results in no change or impact to any of the environmental analysis categories.

I'll discuss overall impacts to the environment associated with the implementation of the proposed action, impacts to airspace use and management, environmental impacts of construction of the two new target complex options, as well as the option of using existing ranges. Existing ranges include Oscura and Red Rio on White Sands Missile Range west of Carrizozo, New Mexico, and Melrose Range near Clovis, New Mexico. These three ranges would be used under all three training options, but their use would be considerably higher under the existing range training

option. The existing ranges would be used under all three training options, but their use would be considerably higher under the existing range training option.

Before going into the specific impacts, I want to explain how the impacts of the proposed action were compared to the environmental conditions without the proposed actions. First, we described existing environmental conditions in fiscal year 1995; however, there are a number of actions that have already been approved that will occur whether or not the additional 30 Tornados are brought to Holloman. For example, in 1995, 12 Tornados that are now already at Holloman, had not yet arrived. Also, a squadron of AT-38s at the base were deactivated just this year, and this was not included in the conditions that prevailed in 1995. In addition, Cannon Air Force Base is in the process of changing from F-111 to F-16 aircraft, and they will be using some of the same airspace that the Tornados would use.

Therefore, to provide a baseline to compare to the proposed action, we projected the environmental conditions that would be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions

that would occur between 1995 and the fall of 1999, or first quarter of fiscal year 2000, when the 30 Tornados would be bedded down. The draft EIS also discusses cumulative impacts from the proposed action in combination with other Department of Defense actions affecting Holloman Air Force Base and the airspace and ranges in the region.

At any given time, there are a number of potential actions that could include basing of aircraft, changes in mission for the aircraft at a particular base, or new construction at a base that the Air Force may be discussing or contemplating. Many never make it past the discussion stage, but some do. It's not always possible to call them a reasonably foreseeable action during the early discussion stages. As an example, development of the new F-422 Raptor aircraft is well underway, but the basing process is not yet out of the discussion stage and, therefore, including a discussion of the possibility of basing an operational F-422 unit at Holloman Air Force base is not necessary, because it is not now reasonably foreseeable.

The Air Force is also discussing establishing a new electronic scoring site for bomber aircraft. And if a decision were made to pursue this site, it may be

located somewhere in the mountainous west or southwest; but the definitive criteria that's necessary to formulate the discussion into a proposal has not yet been developed. Therefore, its precise location is not reasonably foreseeable, and an analysis is not included in this environmental impact statement.

Now, to summarize the findings of the draft EIS in the 13 environmental areas we analyzed in the document. Tonight's briefing is a general overview of the findings in each environmental discipline. And I urge you to refer to the draft EIS for the detailed resource impacts.

The first resource area we examined was airspace use and management. Our analysis found that there would be minor impacts to civil aircraft traffic due to increased operations at Holloman. None of the three training options under the proposed action would result in any significant airspace impacts.

The noise analysis examined impacts around the Holloman airfield and in the airspace and ranges that would be used. At Holloman and the surrounding area, about 41 acres are currently exposed to day-night average sound levels above 65 decibels or more. Day-night average sound level is a measurement that

averages noise for multiple events, such as a jet taking off or flying overhead over a typical 24-hour period. The measure adds an additional ten decibels to events that take place between the hours of 10:00 p.m. and 7:00 a.m., because of an increase in sensitivity at night. By October 1999, this affected area would increase to about 42 acres due to other ongoing projects. Implementation of the proposed action would further increase this to about 47 acres, a change of about 12 percent.

For either the West Otero Mesa or Tularosa Basin training option, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. In no case would average sound levels increase by more than six decibels.

Under the "existing range" training option, sound levels under affected airspace would increase negligibly at most locations, or even decrease in some instances. But in some instances, such as under the Pecos Military Operations area near Fort Sumner, sound levels would increase by as much as 13 decibels from their existing levels of about 45 to 46 day-night average sound level to about 57 to 59 decibels. Except at the air-to-ground ranges themselves, none of

the airspace area, military operation areas and training routes would have average noise levels above 65 decibels under any of the options.

The actual sound generated by an overflight depends on its altitude and speed as well as other factors. As an example, the maximum sound level on the ground directly under a Tornado that's flying at 100 feet ranges from 117 to 124 decibels at 500 feet away, which is, by regulation, the minimum distance an aircraft can be flown to a person or a structure. A Tornado would generate a maximum sound level of 102 to 108 decibels.

Increased operations at Holloman Air Force Base would result in increased noise over portions of White Sands National Monument. Other changes in overflights in affected airspace would result in negligible changes in sound levels within most locations, with no significant effect on land use.

In some areas east of McGregor Range and southwest of Artesia, particularly where airspace units overlap, there would be a noticeable increase in the number of overflights that could be annoying to residents and outdoor recreationists. Under the existing range training option, areas near places like Capitan Mountains and Sumner Lake would experience higher

overflight increases that could also be annoying to recreationists. However, even with the increases, the total number of overflights would remain low and incidental, with any one location unlikely to be overflown more than once a day.

Construction of a new target complex at McGregor Range would result in a reduction in access to portions of Otero Mesa south of Highway 506 by recreationists, BLM workers, and ranchers. Access for livestock management, for example, would need to be scheduled around times that the complex would be in use, estimated at about 60 hours per week. Livestock grazing could continue, however, even when the complex is being used.

If the new target complex were constructed on western Otero Mesa, about 5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land would be removed from grazing, but access to portions of Otero Mesa would still be restricted for people while the target complex is in use. Neither option would affect access along Highway 506 itself.

Air quality would not be significantly impacted by the proposed action. There would be temporary increases in air emissions during the construction of facilities at Holloman and if a new tactical target

complex were built, but these emissions would not result in a significant impact to the air quality conditions, which include visibility conditions. Aircraft emissions would also increase but not at levels enough to affect adherence to national or state air quality standards.

Potential impacts to biological resources from implementation of the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, direct loss of animals, and temporary disturbance from noise.

About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman Air Force Base for construction of facilities. In addition, an existing building that is used by bats as a roost would be demolished. Burrowing owls that are in the vicinity of the proposed facilities would be relocated. There would be no impact to threatened or endangered species or to wetlands.

Other potential impacts would include continued disturbance of vegetation and habitat at existing ranges and continued temporary wildlife disturbance from noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to the baseline, but the increases would be

relatively small and result in small increased potential disturbance to wildlife. Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the area of the Lincoln National Forest, Sacramento Mountains and the Gila Wilderness in New Mexico, as well as the Apache-Sitgreaves National Forest in Arizona.

Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown. Similarly, bald eagle winter concentration areas in west-central Arizona, the portion of the Rio Grande in the region around Elephant Butte Reservoir, and Brantley Lake and Santa Rosa Lake along the Pecos River, potentially, would be overflown more frequently These daily overflight increases would be relatively small and result in a low impact to protected species. Consultation has begun and will continue with the U.S. Fish and Wildlife Service prior to the use of airspace to implement the proposed action.

Impacts associated with construction and use of a new target complex on West Otero Mesa would result in a net loss of 500 to 1,040 acres due to construction of targets, firebreaks, and roads. In addition, annual redisturbance would occur during ordnance cleanup and maintenance. Use of inert ordnance and

flares would increase the potential for fires within the impact area. Up to 46,000 linear feet of waters of the U.S. may be affected under this option.

Loss of this grassland and shrubland vegetation would result in a minor loss of wildlife habitat, including habitat for burrowing owl, aplomado falcon, and black-tailed prairie dog and grama grass cactus habitat.

Also, wildlife would probably avoid the new target complex while inert ordnance was being dropped and during cleanup and maintenance because of human presence and noise.

Increased aircraft sorties would result in more frequent overflights of wildlife on McGregor Range. For example, wintering bald eagles, nesting raptors such as red-tailed hawks and northern harriers, and bat habitat including potential roosts along the escarpment and feeding areas and watering sources would be more frequently overflown.

Impacts associated with construction and use of a new target complex in the Tularosa Basin would include short term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before constructing the targets.

In addition, an annual redisturbance of about

1,040 acres would occur during the ordnance cleanup and maintenance. Use of inert ordnance and flares would also increase the potential for fires. Under this option, about 33,240 linear feet of waters of the U.S. may be affected by the construction and use of this option.

Loss of this grassland and shrubland vegetation would result in a loss of wildlife habitat, including habitat for aplomado falcon and night-blooming cereus.

As with the West Otero Mesa option, wildlife would probably avoid the new target complex during dropping of inert ordnance and during cleanup and maintenance because of human presence and noise.

Using only existing ranges would result in slightly higher aircraft use of IR-113 and VR-176 compared to the no-action alternative. The increased use of the VR-176 would result in an increased potential for overflights of habitat of peregrine falcons, Mexican spotted owls, bald eagles, whooping cranes, and southwest willow flycatchers.

Impacts from the proposed action to cultural resources on Holloman Air Force Base under airspace or at existing ranges would be negligible. If a new target complex were constructed on west Otero Mesa, 17 sites eligible or potentially eligible for placement

on the National Register of Historic Places could be impacted. If a new target complex were constructed in the Tularosa Basin, 29 sites eligible or potentially eligible for placement on the National Register could be affected.

Water resources would not be impacted by the airspace components of the proposed action. Construction of new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any problems resulting from the runoff. Increased use of existing ranges would result in negligible impacts caused by runoff, and there is an increased potential from soil erosion during heavy rain. However, resulting impacts to surface waters would be minimal. Increased soil erosion and sediment transport would result from construction and operation of a target complex in the Tularosa Basin, but the impacts would be negligible. Impacts from the West Otero Mesa option would be similar. In addition, there is a chance that water resource improvements, such as pipelines, water tanks and pump houses, could be damaged by inert ordnance. These improvements would have to be relocated as necessary or repaired to ensure that the availability of water for wildlife and livestock is maintained.

There would be a 12-percent increase, or 13,500 pounds, in hazardous and toxic material at Holloman. Hazardous materials and wastes would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on hazardous material and waste management practices.

Hazardous materials and waste management are largely unaffected by airspace utilization. Munitions on existing ranges would increase, but Air Force ranges are routinely cleared, annually, of scrap metal, which is disposed of through existing orders and regulations.

Under any of the training options, munitions use would generate about 150,000 pounds of nonhazardous scrap metal each year. Again, since clean-up and disposal procedures are in place to handle this waste, there would be no significant impact to the environment or hazard from this activity.

The proposed action would result in an increase of 640 military personnel at Holloman and generate about 110 construction jobs. Annual wages and purchases in Otero County would increase by approximately ten percent to $18.2 million, with the potential for additional infrastructure improvements. There would be no significant impact to regional socioeconomic

attributes such as employment, construction, police or fire protection. Cost of construction of a new target complex on West Otero Mesa is estimated at $4 million and the Tularosa Basin option cost is estimated at $20 million. Airspace utilization has little effect on socioeconomic conditions.

The only transportation impact resulting from the proposed action would occur from the city of Alamogordo. Although the proposed action would result in a relatively small increase in traffic, there would be an adverse effect on traffic conditions potentially increasing congestion on the main road going through Alamogordo.

Utility use at Holloman would increase by about 6 to 13 percent under the proposed option, but the increase would be within existing levels of service. Alamogordo utility use, water, wastewater treatment, waste disposal and electric and natural gas supply would increase from 3 to 6 percent. There would be no impacts on utilities from changes in airspace or from the range use.

If a new tactical target complex were built on West Otero Mesa, a portion of existing water lines and a stock tank may need to be relocated. The other training options would have no effects on utilities.

Construction at Holloman Air Force Base and Red Rio and Oscura impact areas at White Sands Missile Range could affect soils, but because of the present conditions in these areas, the impact would be minor.

Increased live munition drops at Red Rio could increase vegetation loss and a potential for soil erosion. While increased use of live ordnance at Red Rio could result in increased contamination from uncombusted explosives, past use has been found to have caused negligible soil contamination.

If the Tularosa Basin new target complex were constructed, virtually 100 percent of the 5,120-acre impact area would be heavily impacted; that is, all vegetation would be removed in order to clean up existing unexploded ordnance.

If the West Otero Mesa target complex were constructed, only 20 percent, or about 1,000 acres of the vegetation would be removed. Soil conditions would be unaffected by airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in risk of aircraft mishap and bird-aircraft strike if the proposed action is implemented. Although munitions use and handling would increase over current conditions, range

operating procedures are already in place to ensure safe operation, so no significant impact is expected under any of the training options. There is a potential for increased fire risk if one of the new target complex alternatives is selected.

The effects of this proposed action, along with other actions which have been recently implemented, such as the 12 Tornados that were brought to Holloman last year, and actions which will be implemented in the reasonably foreseeable future, such as the change to F-16s at Cannon Air Force Base, were addressed in the draft EIS's cumulative impact analysis. A comparison was made between the conditions that prevailed for fiscal year 1995 and those projected for fiscal year 2000 under the proposed action. For most resources, no significant cumulative impacts would occur following expansion of the German Air Force operations at Holloman. These resources include airspace management, air quality; archaeological, cultural and historical resources; water resources, hazardous materials and waste management; safety; utilities; transportation; and soils.

In most cases cumulative impacts would be related to increases in aircraft operations and associated noise, which could affect land uses and biological

resources. Other activities, such as timber harvesting and grazing, could add to habitat impacts, although these impacts would be minor. Other projects in Alamogordo could affect employment and economic activities in the area.

Finally, to summarize, the environmental impact from the proposed action to the most locations are negligible. Areas that are projected to be most affected if the proposed action goes forward are areas near Alamogordo because of increases in employment, population, traffic and aircraft operations at the base; areas near Carrizozo because of an increase in nearby overflights; areas west of Truth or Consequences, in which threatened and endangered species such as the bald eagle and the Mexican spotted owl could be disturbed by potential increases in overflights; the Fort Sumner area because of potential increases in nearby overflights if there is an increase in the use of the Melrose Range; near Dell City because of increased, nearby overflights; and the Alpine, Marfa, Fort Davis area would experience increased nearby overflights if expansion of the German Air Force operations are approved.

Thank you for your interest your interest and attention.

JUDGE HEUPEL: At this time, I will entertain any clarifying questions over what the speakers presented. And I am going to start out with one.

I think Ms. Parker just covered it, but, Colonel Hargarten when you were covering the viewgraphs, there was one viewgraphs that shows the different routes. And you were talking about increased flights. You were indicating east of Truth or Consequences. I would like to clarify if it's east of Truth or Consequences or west of Truth or Consequences.

COLONEL HARGARTEN: It would be VR-176. I must have misspoken. It's west of Truth or Consequences.

JUDGE HEUPEL: What I am going to need for people that have clarifying questions to do, I am going to call on you. I am going to ask you to come down to the microphone so everybody will be able to hear you question. Just say your name and go ahead and ask your question.

Ma'am, I think you had your hand up first. If you would, come on down here.

I have got to have you at the microphone so the court reporter can hear you as well as everybody else.

MS. LUJAN: The flights are not west or east of Truth or Consequences, they are over Truth or Consequences. We are getting them now all the time over my house.

JUDGE HEUPEL: That's not a clarifying question. I am not going to be able to entertain that.

Sir, you had one? Yes, sir. And if you can, just state your name and go ahead with your question.

MR. HANSON: I am Richard Hanson. Colonel, with respect to you and the gentlemen that just spoke a moment ago, I have great respect for you and your uniform, but, generally, that flight over Truth or Consequences is right up the Rio Grande River. I know, because I live there. And there is enough supersonic noise and impact to really crack your windows.

JUDGE HEUPEL: Now, wait a minute, this is the time to ask clarifying questions. Do you have a questions?

MR. HANSON: Are the flights going to increase in that low-level combat air training area?

TC-1 JUDGE HEUPEL: You are talking about up and down the Rio Grande River?

Colonel Hargarten, can you address that?

COLONEL HARGARTEN: Yes, the VR-176 which runs to the west of Truth or Consequences, the flights or the sorties, if there is a new impact area built, there would be 1,782 sorties a year on VR-176. That's all type of aircraft, not just Tornados. F-16s out of Kirtland and - -

MR. HANSON: Sir, I am not talking about the area west of Truth or Consequences. I am talking about the Rio Grande area which is designated a low-level training area. I want to know, are the flights going to increase there?

TC-1

COLONEL HARGARTEN: Judge, what I recommend we do is take this comment for analysis in the EIS. What we obviously need is a map with greater detail on it that would show exactly where you are referring to.

Now, I have a map in the car that shows the center line of VR-176. I would be glad to bring it in for the comments section. It does not have the boundary width on it.

MR. HANSON: Colonel, these flights are directly over my house, and they fly less than 500 feet altitude. The exhaust floats over the street. I want to know, Are those flights going to increase?

JUDGE HEUPEL: I don't think we can

answer the question right now. We don't have a map. That's the problem that we have got, because what he is talking about is the exact parameters of that route. So it's going to have - - it's going to have to be answered, if we can answer it, before we start the comments period by looking at the map he's got. Otherwise, it will need to be answered in the final EIS.

MR. HANSON: Sir, I want an answer, now.

JUDGE HEUPEL: Right now, all I am taking are clarifying questions. Do you have a clarifying questions over the presentation?

MR. THELEWICZ: How many thousand square miles of public and private land are you taking over?

JUDGE HEUPEL: The question is how many thousands of square miles of public and private land are being taken over? Is there any number that is available?

TC-2

COLONEL HARGARTEN: I guess I can clarify this question in that all the airspace and low levels that are proposed in the EIS are existing airspace with the exception of the discussion on the EA that I covered. All of these low levels, for

example, the low-level that is west of here, I believe, and - - if I ask Mr. Dan King, who is our airspace manager, I believe that's been in effect for a number of years. There is no new airspace involved. There is an increase in activity.

MR. KING: You are correct, VR-176 has been in existence for the last 25 years. It has been overflown for that period of time. There is no new airspace that would be utilized as part of this EIS proposal. It's simply increased use of existing airspace.

TC-2

MR. THELEWICZ: I wasn't concerned about airspace. You talked about siting new ranges, taking over grazing lands, public lands. I don't care about the airspace.

JUDGE HEUPEL: You are right. It was a 2 x 4 square mile area for each of the ranges that are proposed, one or the other.

COLONEL HARGARTEN: There are two different options to use the existing ranges and the airspace. You are referring to - - there is already restricted airspace, this now is the ground. The ground is withdrawn public land that is up for rewithdrawal in 2001. It is public land that is beneath the airspace in McGregor. It's up for

rewithdrawal again, those 5,000 acres you are referring to.

MR. THELEWICZ: So that's the number?

COLONEL HARGARTEN: Yes, sir.

MR. THOMPSON: My name is Joe Thompson. My question is this: The pilots that are involved in this are going to involve at least 42 German aircraft, am I correct?

TC-3

What provisions do you have for ESL, English as a second language, programs? How well versed in English are these pilots? In this area, we are going to have both U.S. military and other private pilots. This is something I don't believe you have covered. It's something that's very vital, communication. A person that does not speak English as a native language will not pick up on a hazardous location as quickly as other pilots. Is that something you can address? You spoke to the German replacement unit, can you clarify that?

TC-4

COLONEL HARGARTEN: I can clarify, because I did refer to how much training they have been doing in the United States. All of the pilots accomplish their training in the United States. So when they went through pilot training, they did it in the United States. They had to speak English.

I was commander of the squadron where we trained pilots for three years, and I have been flying with the Germans for the last five years. Every one of them speaks very good English. Once in a while, there is a phrase that may have to be repeated in a traffic pattern because of a call sign, because of a little bit of an accent problem. But as far as understanding and reading and speaking English, they are good at it. It's the accent problem sometimes.

JUDGE HEUPEL: Mr. Thompson, if you would, go ahead and address your questions to me, if you would, please.

MR. THOMPSON: Okay, sir. What type of speed are these aircraft flying, sir? Can you clarify what the Tornado's supposed to fly on the low-level route?

COLONEL HARGARTEN: They are going approximately 420 knots to 480 knots, which is about seven miles a minute to eight nautical miles per minute.

MR. THOMPSON: So then, if we are talking a two second or three second delay in translation, we are covering some grounds here that can get some people killed, am I correct?

JUDGE HEUPEL: I am not going to let

him get into that. All we are doing right now are clarifying questions. You can do that during the comment period.

MR. THOMPSON: The other question I have is, what about your support personnel relating to flight control out of Holloman?

TC-5

How many German-speaking flight controllers are you going to have operating in conjunction with your American controllers over there?

JUDGE HEUPEL: I'll let that question stand to be addressed in the EIS, but that's getting considerably beyond the briefing portion that they have given here. And what I am trying to do is give some latitude to answer some of the questions there. But this portion is just to clarify what they have presented. And you've got every right to make the point you want to make during the comment period, and that's what we are going into after the break.

Now, we will take about a ten-minute break.

MS. WILSON: I have a question.

JUDGE HEUPEL: Do you have a clarifying question? I am sorry. If you'll come up and state your name.

MS. WILSON: My name is Margo Wilson.

TC-6

I was wondering geographically, if the flights would

TC-6

go down the west side of the San Mateo Mountains.

JUDGE HEUPEL: This is a question - - I think, perhaps, the best thing we can do is try to see if during the break - - if they have got a more detailed map, and they can look at it, we will give you an answer, if it can be answered here tonight.

MS. WILSON: I have another question. I wonder if Culp Canyon is also going to be built in?

JUDGE HEUPEL: Whether the flights would go over?

MS. WILSON: No, I am wondering if there is going to be an installation in Culp Canyon.

MS. PARKER: No.

MS. WILSON: I have another clarifying question. What is the difference - - what does "no significant impact" mean? Would you clarify that, please? "No significant impact" or "minor impact"?

MS. PARKER: That would be defined under the National Environmental Policy Act, and I can give you a verbatim definition before we leave here tonight.

MS. WILSON: Thank you.

JUDGE HEUPEL: Were there any other clarifying questions that I missed? Let me take this gentleman right here, and then you, ma'am.

MR. VELZY: Colonel, my name is Don Velzy. The question on environmental impact, I smell collusion. For the record, does anybody in this panel or does everybody in this panel understand Border 21, the Border 21 program?

JUDGE HEUPEL: I am not going to entertain that, because that's not a clarifying question, sir.

Yes, ma'am.

MS. GOODING: Joan Gooding. How loud is .65 decibels?

JUDGE HEUPEL: How loud is 65 decibels?

MS. PARKER: There is a chart in the EIS that kind of relates different noises and what those are similar to?

JUDGE HEUPEL: Does somebody have a page number we could refer folks to?

MS. PARKER: C-5 of the draft EIS has a chart that gives some references to what various decibel levels are.

COLONEL HARGARTEN: And right in that area I think it also talks about different aircraft and flight levels.

MS. PARKER: It gives you day-to-day

comparisons that everyday persons can compare 65 decibels to, levels of activities they do day-to-day--automobiles, air conditioning sounds.

JUDGE HEUPEL: It's on page C-5 of the draft EIS if anybody wants to take a look at it during the break.

MS. GOODING: Okay, I have another one. What is the U.S. complement military to the proposed German complement military? There's 640 German military coming in, so I am wondering how many U.S. Military are on Holloman already?

JUDGE HEUPEL: Does anybody know approximately how many?

COLONEL HARGARTEN: Just how many Air Force people? It's about 6,000.

JUDGE HEUPEL: Approximately 6,000.

MS. GOODING: Another one. If these flights go up the Rio Grande toward Elephant Butte Dam or Caballo Dam, what damage will these flights do? I would think the vibrations could create cracks.

TC-7

JUDGE HEUPEL: I'll let you cover that in comments, but at this juncture, we are not even sure whether the flights are going to be going over this. That's what we are indicating we are going to have to address at the break.

MS. GOODING: For a little levity, how do you tell a steer to go to the barn when the flights are going to start? When your flights are going to be in progress, how do you tell a steer to go to the barn?

JUDGE HEUPEL: Ma'am, I am sorry, I have got a lot of people that want to give comments tonight. I want to be able to give them time to have comments. So that's not really clarifying.

I need to limit these to clarifying questions over the presentation. Yes, sir.

MR. RITCH: My name is Bill Ritch, and I live west of T or C. And I would like to ask, Judge, we have flights that come over, low-level, and they are bursting the sound barrier. We have got booms, and it does not concur with the information that the good colonel gave us.

TC-8

JUDGE HEUPEL: Okay, thank you.

MS. RIVERA: Diane Rivera. At the last meeting, I complained about the sound barrier, about these airplanes going real close to my house. And I told them where it was. They said it would stop. And it did for awhile. They are back again. They are making more noise, sonic booms.

JUDGE HEUPEL: Do you have a clarifying

question?

MS. RIVERA: The clarifying question is, is my house part of the area - - where are these airplanes supposed to fly, over the corner of Nickel and - -

JUDGE HEUPEL: That's not something we can't answer at this point. You can raise the issue you want to raise during the comments, but that's not a clarifying question that we can cover right here, I am sorry.

MR. GOODING: My name is Ralph Gooding, and I need something clarified. I don't know if it has to do with this problem here or not. But on the environment sensitive, environmental endangered species and things of that nature, why is the government saying "it's okay", or "little damage," when other agencies or whatnot would get hammered for it. And I was curious as to why is that?

MS. PARKER: When I give - - when I reported on what is in the document, I stated we are in consultation right now with U.S. Fish and Wildlife Service. It will be the U.S. Fish and Wildlife Service that dictates to us what is acceptable and what is not acceptable in regards to activities over these sensitive sites.

So what I am reporting to you is the potential. Thank you.

JUDGE HEUPEL: I am going to close this portion, because the questions really aren't specifically clarifying what the people have presented.

Let me go through with you, because we did have some people come in that were not here earlier. I am going to call people to speak based upon the cards. If you did not check that you wanted to speak and you decide you want to speak, go ahead and indicate that during the break to the people at the table, and they will get your card out and recheck it and get it to me. And everybody - - we will give everybody a chance to speak. And I encourage you to speak. And I know some of you have some things you want to get on the record. That's fine. I want to make sure that everybody gets an opportunity to do so.

So we will take a 10-minute break at this point, and then we will come in for the public comment period.

Ladies and gentlemen, we are going to go ahead and start in at this time. Let me ask, has everybody turned in their cards that wants to speak?

Captain Carruthers, do I have all the cards from

over there?

Okay, we tried to change the microphones. In fact, the microphone I was using, we have over on the stand. There is a microphone up here, but it's not working. You can't hear, and unfortunately the person that controls the audio for the activity center has left, and we can't get up to change the volume controls.

So when you speak, you are going to need to get very close to the microphone. And we have also got Captain Carruthers, who will kind of be helping. If we need to adjust the microphone, he will come over to try to adjust the height of the microphone. But I took the little lectern away so people can get as close as they can. As close as I am having to hold this microphone, you are going to have get next to it.

I have got quite a few people that indicated they wanted to speak. We want to make sure that your comments are accurately recorded and addressed in the environmental process. That's also why we have a court reporter here. So I need to ask you to help me with the following procedures.

First, come on up to the microphone after I have recognized you, and please address your remarks to

me.

Second, go ahead and get close to that microphone, speaking into it. And if you would, go ahead and indicate your name and what city you are from. And if you are speaking on behalf of a group, go ahead and indicate that.

I don't have anybody indicating that they are speaking as an elected public official, so I will be calling out the names that I have here at random. As I indicated, the time will be five minutes. At five minutes, I will hold my hand up. Go ahead and finish the point you are making, but when you are done with that, if you would, go ahead and stop so that somebody else will be able to come up and also provide their comments as well.

Last, I ask that only one person speak at a time. The court reporter can only take care of one person at a time. So that's the procedure that we will be using as we go through the public comment portion.

Let me go back to Colonel Hargarten, I see you have a big map on the table, and the issue with regard to the flights on the Rio Grande.

COLONEL HARGARTEN: Judge, I don't know if when we are done we can enter this as part of the record. The problem with this map is, even though the

mountains are shown in more detail here along the Rio Grande, the names of the mountains are not labeled. So if it's okay, Judge, maybe I could have one of the citizens identify the names of the mountains, if that would aid in making comments about the impacts, and we can make it a part of the record at the end of the comment period.

JUDGE HEUPEL: Would that be okay? Can you point those out, please? Perhaps, we can do it after the comment period, and that way we will make sure - - in fact, what I would like to do is label them some way, and we will make that a part of the final EIS.

COLONEL HARGARTEN: All right, thank you.

JUDGE HEUPEL: Okay, I am doing this so that, frankly, everybody has got an opportunity to speak first or to speak last, whatever. Nobody gets any specific privileges. So the first person that I come up with is Don Velzy. And forgive me if mispronounce your name. And please correct me.

MR. VELZY: My name is Don Velzy. I have a written statement which I would like to submit to the panel. Who gets it?

JUDGE HEUPEL: If you would hand it to

me, sir, and I will make sure that it becomes a part of the record.

MR. VELZY: I would like to digress from my written statement and make a couple of other statements. First of all, I would like to mention the fact that there is no American flag in this room except the one that I have in my pocket, and, I guess, the one Bill Ritch is wearing. I would like to question that and put it in the record. And if there is some way you can answer it, I would like to hear the answer sometime, why not?

The other thing is, as you and I talked, Colonel, before the meeting, I didn't notice any insignia indicating what branch of the service, or what country you are from on your uniform. You and I went into that. I don't think we need to go into it here. It's just something I wanted the people in the stands to realize. If you could answer that for me, I think you probably have, but I think it needs to go in the record.

I have already stated my name. I am a person residing in Las Palomas, Sierra County, New Mexico. I am not anti-government. I am not some kind of radical nut. I just want the government to abide by the supreme law of the land, and that's the Constitution.

This is also not part of my written comments, but this is a Title IV, USC-1 flag, the American flag of peace.

I have researched at length the Constitution of the United States, the New Mexico Constitution, and the Border 21 Program. The Border 21 Program being that program involving a strip of land 100 kilometers wide from the Gulf of Mexico to the Pacific Ocean, 62-and-a-half miles into Texas, New Mexico, California, land illegally appropriated by the United States government with the idea of it becoming an international territory.

I hope that gets in the record.

Nowhere in my research have I found any authority in the United States Constitution or in the New Mexico Constitution for the billeting of foreign troops in New Mexico, or any other state of the union. Instead of granting the German Air Force more territory in New Mexico, this foreign military force should be immediately removed from New Mexico and the U.S. It's presence here makes New Mexico a conquered and occupied territory.

Further, I request - - no, I demand that the Sierra County Commissioners immediately enact a county ordinance protecting Sierra County's airspace and

ground territory from encroachment and/or maneuvers by any foreign troops.

In closing, I would suggest that--inasmuch as it is my belief that foreign troops are in New Mexico to enforce the Border 21 program, just like our Marines are in Australia to enforce gun control in that country--the sheriff of Sierra County and as many of us as he deems necessary to be deputized to escort this foreign troops to the county line. They are not our friends.

JUDGE HEUPEL: Thank you.

The next speaker would be Tony Popp.

MR. POPP: My name is Tony Popp. I am from Las Cruces, New Mexico, and I also represent the Dona Ana County Associated Sportsmen, of which I am past president and currently a board member of that group. I do have a written statement that I will submit after my comments here.

And I will digress from this. I am not going to read it. There are some other things I would like to bring up.

As has been pointed out, McGregor Range is temporarily withdrawn from public use, and that question of withdrawal will come up again in the next four or five years. What I would like to have

TC-9

included in the impact statement is the long-range impact of the use of the McGregor Range, if it is returned to public use after that withdrawal period is over. That is not included. It is assumed that it will continue to be withdrawn from public use.

TC-9

I have questions with regard to the noise analysis. As was pointed out, on average, we do not have a problem in significant effect--on average, in terms of decibel levels. Given, maybe, a conservative estimate of 3,200 more sorties per year, we are talking about 10 more sorties per day. If they are not done on weekends, we are talking about 14, maybe 15 more sorties a day. If we cut that down to three or four days a week, we are talking about somewhere in the nature of 20 and 25. The impact of these levels going up to what, on average, is about 102 to 108 decibels on a concentrated basis, its effect on wildlife and ranching needs to be analyzed. If this is going to happen one out of every three days, I think we can assume the wildlife will be disturbed enough and/or the cattle will be disturbed enough during that period of time that that will cause continual problems. Obviously, we will hear more from individuals tonight about what those concentrated sorties will do if, in fact, they are coming over

TC-10

Truth or Consequences.

Some other things, the biological resources we are talking about in the impacted area, in the direct impact area of only 2 x 4 miles, or eight square miles. I understand that will be graded, completely destroyed. And there will be no more habitat there. We are also talking about a greater area that will serve as an impact area. I cannot imagine that we are not going to get some more degradation in this area than something that is inconsequential.

TC-11

Probably, one of the things that bothers me the most is the nonimpact on ranchers, sportsmen, those living up in the Sacramento Mountains and in the forest. That area is in fact used as a recreational area. Obviously, this noise is going to cause some problems. Again, on average, it doesn't make a difference, but individually, on any particular day, it will. It will impact the recreational use of those areas. It will probably impact the individuals that are living in the area, and that has not been included in this impact study.

TC-12

I think some more work needs to be done in that area with regards to the use of the McGregor Range. Also, according to the report, there is an insignificant impact with regard to the historical use

of that area, especially Otero Mesa. Otero Mesa is traditionally a hunting area, hiking area, birding area. People have used it on a regular basis. It is only temporarily withdrawn, but you are talking about putting it there. If we put it on the West Otero Mesa, we are talking about that area being closed to public use, even in the surrounding buffer zone. And they say it's only sixty hours per week. Well, that means, on a five-day week, twelve hours a day, probably, during daylight hours, probably some at night. So we are talking about the closure of that for the entire week.

TC-13

In conjunction with other activities that go on, let's say we have some Japanese target practice, that, in fact, is included on some weekends. What we are talking about is a complete closure of the West Otero Mesa area, and I think that was what was said in the impact statement.

I think what this is basically doing is eliminating all use of that area. And I think that impact on the economy should be known. The trade-off that has been shown so far is that there is a positive impact to the economy in the Alamogordo area. What has not been calculated is the negative impact on the rural areas. And so that should be included in the

statement.

I guess what I would like to do is support the BLM's position that we leave the West Otero Mesa alone. If you are going to put it somewhere, put it down in the Tularosa Basin.

JUDGE HEUPEL: Thank you, sir.

The next speaker will be Jay Thompson.

MR. THOMPSON: Sir, my name is Joe Thompson. My address is P.O. Box 843, Williamsburg, New Mexico. I president and representative for Preservation of the Caballos Mountains, Incorporated. We are an environmental organization in this area. Ms. Parker covered quite a few environmental impact things that she foresees. I'll read you, Airspace use management, minor to no impact on airspace. Land use, minor decrease in land use available for grazing. Biological resources, result of disturbance to about 1,040 acres. Air quality question is under the new proposed air quality standards, where the use of a gas lawn mower or barbecue in the back yard violates the new environmental standards that are going to be in place. Have those been considered in this EIS? I don't think they have.

TC-14

You talk about safety. As far as bird strikes, bald eagles. If I kill a bald eagle, I am going to

jail under Federal law. What about your pilots that kill a little fly catcher, or kill a bald eagle, are they going to jail like everybody else here in this country? TC-15

PCM strongly recommends that you use existing ranges. There is no point in destroying eight square miles of land, none at all. You have got existing ranges out there, use them. We were awfully close to backing proposal "no" of your proposition.

And I believe there is a significant language problem with your pilots that is going to eventually result in death of both German and American pilots. TC-16 You have a lot of ranges. There are very few people. And as I understand it, very few endangered species.

Understand something, we as citizens of this country are required under the current environmental protection laws to abide by critical habitat standards. TC-17 Why aren't you? Yet what you are asking for is a blanket use of areas that our loggers here in New Mexico are prohibited from using for logging because of the spotted owl. One thing that I think should be required, and that is that whatever decision that is made, it should be presented to each government entity here in New Mexico. I am talking city, county commissioners, as well as the state

legislature for their approval. They are our elected officials.

You folks out here are the military. You're the bureaucrats that are operating and putting into force things that are affecting our lives here on a daily basis. Federal officials are appointed, generally. Our elected officials are responsible to us, for us to vote for them. Put it in their laps, let them make the decision whether or not we accept or deny what you are proposing. Under the U.S. Constitution, this is part of our Constitutional right, and that is the right to be represented in any decision-making process by our elected officials not bureaucrats, and not by appointed people.

Our lives on a local level are going to be drastically affected by what you are proposing. The Colonel over here said that these aircraft are going to be traveling about seven miles per minute. TC-18 That doesn't leave very much time for a person that has trouble speaking a foreign language to make a decision, where his life and the life of another pilot is going to be lost. As a former private pilot, I have had oil burners out of the local area here in the National Guard fly below me and above me, and on the same level in years passed. It's a very scary

situation. I don't know how many of these aircraft are going to be equipped with avoidance radar. I know one thing, as a private pilot in a low flying aircraft up to 130 miles an hour, you don't have very much time for error. And you have much less time for error in a high speed, war-type aircraft.

We strongly ask that, and strongly urge that whatever decision is arrived at, it be put to our elected officials here on a county level, city level, and also to our state legislature. Those are the immediate people that answer to us the voters.

JUDGE HEUPEL: Thank you, sir.

The next speaker would be Richard Woodsum.

MR. WOODSUM: My name is Dick Woodsum, local pilot, and southern president of the New Mexico Pilots Association. My address is P.O. Box 739, Elephant Butte, New Mexico.

My primary concern is with the handout depicting airspace requirements for this study. The handout depicts the airspace requirements as what are needed for low-level, low-altitude navigation along the military training routes. It states that although there are no restrictions to civilian aircraft operating in the corridor, the flight rules across the military training routes all pilots, civil or of the

government, should be aware that high-speed, military flights are conducted within these corridors.

A corridor to me is a hallway, a narrow corridor, is what we all visualize when we hear a corridor. Several people have asked, where is this line that runs up west of Truth or Consequences? Why are the jets flying up the river? I hate to tell them but these corridors are up to 58 miles wide. That's a wide corridor, when you consider that covers most of Sierra and parts of Catron County. It's not really a corridor. That's very misleading. So I am concerned about that.

I had an incident occur when two F-111s flew past me at a distance, I figure, of 400 to 500 feet. It was a little bit disturbing. I don't think either airplane saw me, although two aircraft should have two crew members up front looking out the windows. It concerned me enough so that I called up Kirtland Air Force Base to find out who would be operating in that area. They said the only F-111s, that these happen to be, were out of Clovis Air Force Base. Being a cooperative citizen, I called Clovis Air Force Base because of the concern for my welfare and the concern for others.

I was challenged, "What were you doing operating

in military air traffic?" The response I got from the airspace manager was I was working in a military airspace.

Well, it's a civil operating area just as much as it is military.

If you want to report a near miss, I could call FAA.

I just want the four pilots to look out the windows once in a while. They shouldn't have come that close to you. They should have seen me.

I said, Do you have an airplane with yellow and red stripes near the horizontal flange of the vertical stabilizer? That's one of the standards of the Cannon Air Force Base. That's how close they came. 400 to 500 feet is not an unrealistic estimate of how close they came.

I am flying low-level, wildlife research, 500 to 800 feet off the ground. When a jet goes between you and what you are looking at on the ground, I don't know what the answer is.

I'll keep it short, but I am opposed to increased use of MTRs, military training routes. I feel that they should be depicted more accurately on the charts, not as a thin gray line, but as a corridor 58 miles wide so that pilots know what they are getting into,

or what they could be subjected to.

I feel that low-level, high speed jets represent a threat to the safety of local, as well as any transit, general aviation aircraft. And I think that the whole MTRs, low-level, high speed program should be studied a little more carefully. It would only take one bad incident to spoil your day. I hope it won't be mine.

TC-19

JUDGE HEUPEL: Thank you, sir.

The next speaker will be George Wright.

MR. WRIGHT: Good evening, Colonel, ladies and gentlemen. I am George Wright. I live here in Truth or Consequences, and I am president of the Experimental Aircraft Association, Chapter 555. I should be used to these things. I use one quite a lot as I am a pilot. I want to keep my comments, as much as I can, pertinent to the environment that will be impacted, but I have one thing that I wish to say, which is, that I think probably by now most everyone is aware that almost all of the U.S. citizens in the western part of this country are opposed to this operation in general, in fact, to any more military aircraft operations. We are saturated. The western part is covered by MOAs. There was a time when probably most of them were needed. Most of us think now they probably are not needed.

But aside from that, my concern with the environment is low-level airspace. Low-level, to me, is, say, up 10,000 feet or 12, which most of us fly on a routine basis. And it's getting really thick with military in this area that I fly down here in the southwest. It's getting really thick. It's really scary. In fact, about two weeks ago--probably less than two weeks--there was one jet that I didn't see good enough to identify, which came up the river over the dam, up the lake, and it looked to me like he cleared the dam at less than 50 feet, but it could have been 100. And there are boots, people out on the lake. He came right over the house. Obviously, he generally stayed east of the river, so he missed, mostly, directly over flying the town. So these are things that we are real concerned with.

I guess that I am mostly concerned with the people part of the environment, because we see it as a real threat. Most everyone of us have seen people fly, planes fly between us and the ground away from the gray areas, which we thought were training routes and which we came to realize really don't mean much of anything, because even the concentrated - - apparently, concentrated flights don't normally, as far as we can tell, go over the gray lines, even if

the gray lines are ten miles wide. So we have a real concern with that. C-130s have been flying across by the airport in recent years, by the Truth or Consequences airport, within two miles of the airport at probably 200 feet. That's been three years ago or so, but it doesn't seem to have changed. The type of plane has changed, but we don't see much difference from the rest. Thank you very much.

JUDGE HEUPEL: Thank you, sir. The next speaker is Walter Lujan.

MR. LUJAN: I am Walter Lujan. I am with the Bureau of Land Management. I am a range land management specialist with the Caballo Resource Area, Las Cruces District.

BLM representatives have attended several scoping meetings covering the proposal to bring an additional 30 Tornado aircraft to Holloman Air Force Base, and the development of bombing ranges in McGregor Range, and the increased use of airspace in the region.

The BLM does not favor the development of a new bombing range, or the withdrawal of public lands in the Ortero Mesa portion of the McGregor Range. We would prefer the various branches of the military to coordinate, to better share - - better use and share existing bombing ranges and airspace.

Representatives from the Air Force have advised us that use of the Red Rio and Oscura bombing ranges within the White Sands Missile Range is increasingly difficult due to airspace access control by the White Sands Missile Range. We have suggested that Red Rio and Oscura could be more fully utilized if the German Air Force were to train on weekends and not limit themselves to training only during weekdays. However, the alternative to use the existing ranges by incorporating weekend use was not covered in the draft EIS. We do not feel that the rationale of, "the German Air Force does not want to work on weekends," is sufficient justification for not exploring this alternative. We would like to see the omission of this alternative corrected in the final EIS.

TC-20

If additional utilization of the Red Rio and Oscura Ranges is not fully met, Holloman Air Force Base needs to, and the BLM urges Holloman to look at the Tularosa Basin alternative as the location for their proposed bombing range. This site has already been impacted in the past by military ordnance, and the environmental impacts are much less than would occur on the Otero Mesa and the Mob (phonetic spelling) Foothills site. Its makes no sense to impact another area and lay more land to waste.

We are concerned about the proposal, especially the bombing ranges on the Otero Mesa, due to impacts to public access use and enjoyment, both economic and aesthetic, on public lands and resources. We are concerned about the impacts to the customs and culture of the community dependent on Otero Mesa and the Mob (phonetic spelling) Foothills portion of the McGregor Range.

Impacts to the existing level of access concern the BLM and the public dependent on that access for their businesses, including ranching; community economics; and historic, customary resource uses, which include hunting, hiking, camping, plant and animal viewing, and the enjoyment of the black grama area.

Much of New Mexico is premier deer and antelope use, especially the mountain and mesa areas. We are concerned that impacts to endangered and sensitive species have not been carefully assessed and viewed. There is a serious deficiency in the analysis in that development of a new bombing range is not appropriate for the Ortero Mesa or the Mob (phonetic spelling) Foothills portion of the McGregor, especially when other areas are available, such as expanded use of existing range or location of bombing ranges in the

TC-21

already impacted Tulorsa Basin.

I will be submitting formal comments before the August 4th deadline.

JUDGE HEUPEL: Thank you, Mr. Lujan.

The next speaker will be Zue Hanson.

MS. HANSON: My husband will talk for me, please.

MR. HANSON: I am Richard Hanson, and I will speak for Ms. Hanson.

JUDGE HEUPEL: Let me ask, you are also signed up as a speaker.

MR. HANSON: You can treat that on that basis.

JUDGE HEUPEL: That's fine, sir.

MR.HANSON: I am objecting to the proposal of more low-level flights over the Rio Grande Valley.

Have you ever been out in the morning and had a supersonic plane fly over you at 400 feet, and a sonic boom follow him, and hit you in the back of the head. If you haven't, I have, and so have a lot of other people. It is an insult to the environment of people. Environmentalists worry about all the little animals and mices that are running around, becoming extinct. Right now the law abiding American citizen

is becoming extinct.

Now, I don't know -- now this is a - - there is no inference to any of you gentleman. I respect you and your uniform, but how many of you - - how long have you been in combat with the German Air Force? It's not funny. And I think that training the German Air Force, or any other forces in the United States is an insult to all the servicemen and ex-servicemen and American citizens.

Now, I don't know where you stand. I look at you as a man of integrity, but I don't think that if it wasn't for orders being handed to you that you would be sitting there saying and doing what you are doing. It is something you better remember. You'll be looking at the German Air Force for the third time in this century. And this is an insult, this is a blot on the integrity of the entire nation. Thank you.

JUDGE HEUPEL: Thank you, sir.

The next speaker would be Patricia Barker.

MS. BARKER: My name is Patricia Barker, and I live in Truth or Consequences, New Mexico.

I must say, some of the things have been covered, and they are already on record that I had in mind to say. I am the spouse of retired Air Force and have

been retired since 1964, but we were still civil service transferring around. And we moved here in 1964 for the community, the quiet community, to get away from the hassle of aircraft and flight lines, and all that kind of stuff. We moved to San Antonio, Texas. And then we moved back to this community to get away from exactly what you all are proposing here for this community. And I would like to go on the record that I am against it.

When we lived in San Antonio, we had five military posts. Randolph Air Force base, which was famous--as you all know, the pilots come to Holloman Air Force Base after their training there--plus an airliner going over all the time, every 10, 15 minutes. And I think that this would be an horrendous impact on the economy of Sierra County. And as you know, Sierra is the largest county in the state of New Mexico and naturally you are going to want to involve us. Keep your aircraft on the other side of the lake, and on the other side of the mountains.

JUDGE HEUPEL: Thank you. The next speaker would be, let's see, Mildred Hooper.

Ma'am, do you basically agree with what's been said already? With what was being said?

MS. HOOPER: Yes. Yes.

JUDGE HEUPEL: And you do not wish to speak now? Okay, thank you, ma'am.

Then, Mr. Hanson has already spoken. William Ritch.

MR. RITCH: My name is William Ritch. I live in Cuchillo, west of Truth or Consequences. My mailing address is HCR 38, Box 8, Cuchillo. Zip Code is 87901. I guess the comments that I made relative to the sonic boom do not correspond with the number that was stated in terms of flight velocities. We do have cases where, once again, our cities have been harassed by the loud noise and the sonic booms, both from aircraft--and I will say that we have no idea to whom these aircraft belong, because they are not marked. We don't have aircraft with stars any more. We don't have German craft that's marked.

And in regard to that, going to the flag issue, I am wearing a Title IV, USC-1 flag, which guarantees my Constitutional rights. And I guess that the concerns that I have is the trust in our government and especially the trust that we have in our military, of which I presume - - I was in the military. I also took an oath to uphold the Constitution of the United States. And the Title IV flag is the United States flag of peace, and of the United States of America.

And it does preserve the Constitution. I have the flag recognition, which I will submit to you, sir, and also a quote from the Federal Register, Executive Order 10834 which describes the current flag with the 50 stars in the field.

Concerning our trust in our government, things that have come to our attention are questions such as the questionnaire that was passed out to the military whether they would be willing to shoot American citizens if they were confiscating guns. It was extremely unfortunate, the percentile which said they would be willing to do so. We are reminded of Michael New (phonetic spelling), who, because he was unwilling to wear the UN insignia was court-martialed. We are reminded of the case where the camel's nose gets into the tent, and you invite the entire camel in. I am reminded of the Trojan horse. It was given as a gift, but inside the Trojan horse the army came in and conquered.

We are reminded of the Haneys when we talk about the environmental impacts and the loss of their ranch and their grazing rights. So all of these things are concerns to us, most of us anyhow.

Now, I know that the BLM, Forest Service, and other agencies claim this property for inventory

reports and jurisdiction status of federal areas within any state. As of June 30th, 1962, a report for another was compiled by the General Service Administration, and the total amount that was recognized as being owned by those organizations was 5.8 acres. I will submit this to you, also.

We submit that this same document is not available for New Mexico. The people that got this document had to do a FIO to get it, in order to get this. So it is going to take some time for us to get this same document as it relates to the state of New Mexico; however, we will be in the process of getting this done. Sorry, that's Florida. I would submit this to you for documentation.

Just in closing, I would like to read something to you, sir. This is significant in terms of the time that it was written. And I will read it. It says:

He has erected a multitude of new offices and sent hither swarms of officers to harass our people and eat out their substance. He has kept among us, in times of peace, standing armies without the consent of our legislature. He has affected to render the military independent of and superior to the civil power. He has combined with others to subject us to a jurisdiction foreign to our Constitution, and

unacknowledged by our laws, giving his assent to their acts of pretended legislation. For quartering large bodies of armed troops among us, for protecting them by a mock trial from punishment for any murders which they should commit on the inhabitants of these states.

I propose that this is very appropriate, even at this time, inasmuch as it was written by Congress in 1776. It's part of the unanimous declaration of the 13 United States of America. And it was signed by our founding fathers. I thank you, sir.

JUDGE HEUPEL: Thank you.

The next speaker would with be Ralph Gooding.

MR. GOODING: I am Ralph Gooding. I live here in T or C. And I noticed on the paper you had different public hearings in different cities, but I didn't see anything on this about Las Cruces. I am not asking for an answer, I am just pointing out the fact.

The McGregor Range, the West Otero Mesa will be severely impacted. It is a sensitive environmental area. It has cattle, game, recreational use, and would be restricted to the public use. There are other sites that are available. You could rearrange the training to extend into the weekend and put it on

TC-22

TC-22

the McGregor Range and the Tularosa Basin.

You know, we have basins that are being closed all the time, why not put it over in one of those. I am sure the people over there in that area would appreciate it.

TC-23

And I was wondering, how many German personnel are at Holloman Air Force Base now? Thank you, sir.

JUDGE HEUPEL: Thank you, sir. The next speaker is Gene Thelewicz.

MR. THELEWICZ: My name is Gene Thelewicz. My address P.O. Box 417, Elephant Butte, but I actually live on the east shore of the lake around on the mesa about 600 feet above the lake. And believe me, when I look out, I look out and the F-16s are at eye level, and they create tremendous noises.

I think it's clear by now that no one wants the German base here. We are seizing public and private land and giving its sovereignty to a foreign nation. I don't want any foreign bases in the United States. The Germans are to protect Germany; the U.S. Air Force is to protect the United States. The Germans don't have any desert territory in their country, why would they want to train in desert terrain? The whole thing is scary.

TC-24

If a private corporation was going to do anything

like this to the environment, they would find themselves in jail.

TC-25 I don't understand what "negligible impact" means. There was a Japanese farmer in California. He killed four kangaroo rats using a tractor farming his own land. They confiscated his tractor and his land, and everything else. You plan on confiscating thousands of acres and giving it to a foreign nation, sovereignty to a foreign nation. I am totally opposed. I gave you a copy of an article earlier this evening. Will you give it to the writer, please?

JUDGE HEUPEL: We will put that in the record. Thank you, sir.

I want to make sure on my cards here. I have got two cards left. Leonard Rivera.

MR. RIVERA: My name is Leonardo Rivera. I reside right here in Truth or Consequences. I am not anti-military. I was military myself many moons ago, long before some of you were even born. But I and many others are very much against allowing the German Air Force to expand training operations, including bombing in New Mexico. It is bad enough that our own military is doing low-level flying and creating loud sonic booms, but for a foreign military to be doing that upsets me.

And it goes against my grain.

What is the need for all this? I have heard one of our own military say that this training is needed to help us in case of a crisis, and/or to help protect ourselves. If we need a former enemy to help us protect ourselves, we are in a sad state of affairs. This means that our military is not as good as we are led to believe. Here we are reducing our own armed forces and bringing foreign ones to U.S. soil. Something smells rotten. Are these foreign troops being trained for something else? Like control of U.S. citizens. Makes one wonder.

I belong to an organization called PCM, the Preservation of the Caballo Mountains. This is an organization dedicated to the rightful use of private and public land. I don't believe that bombing the hell out of our state or parts of it is in any way, shape or form a rightful use of our land. We keep losing our public lands or the use of them. I say enough of that. We don't intend to lose more. We are TC-27 tired of the federal government, any branch, taking away our land every time they feel like it. Listen to the people once in a while. Listen to the ones who pay for this program, including your paychecks. Don't bite the hand that feeds you.

I have another concern about the dam over here. We have all these sonic booms that come and rattle windows. If it's doing that to windows, what is it doing to the dam, maybe creating hairline cracks that could get bigger? I say no to this foolishness, our federal government allowing foreign military to train, including low-level bombing. If they want to do this, let them do it in their own country. Like the citizens of Alpine, Texas, told the Air Force when they held a meeting similar to this, quoting the newspaper, "Not only no, but hell no."

TC-28

JUDGE HEUPEL: Thank you, sir.

The last card I have got is Margo Wilson.

MS. WILSON: My name is Margo Wilson, and my address is P.O. Box 926, Elephant Butte, New Mexico, 87935. I want to thank you all for the opportunity to speak here this evening. I wondered why you were coming to T or C when there are so many more people that live in Las Cruces. I'll state that again, I was wondering why you would come to T or C. I was informed that we were closer to the flyover areas. But I am glad you came here, but I really feel like people in Las Cruces should be considered, also.

I represent the Warm Springs Section of Southern Luna County of the Sierra Club. And these are some of

our concerns. Why is the German Air Force coming to New Mexico? Specifically, why can't Tornado jets fly over Germany and other European countries? Isn't it because they don't allow these low-level flights that you are asking us to put up with?

TC-29

I am also concerned about the McGregor Range. It's important historically here, to the history of New Mexico. As you recall, it was the last stand when the army took over the grazing allotments to form those military ranges. A lot of people use those areas for recreational uses, hunting and for camping trips. We wouldn't like to lose that. I also think that it's absurd to say that the environmental impact on Otero Mesa would be negligible when you are going to blade it off. Are the ranchers who live east of Otero Mesa going to be paid to relocate from their homes and lands because of the noise of the low-level overflights and bombing range? How do they impact our lives? Its not compatible with residential living.

TC-30

TC-31

Another question, is it true that Tornado jets create 120 decibels of noise and this causes ear damage? I understand that 65 decibels is the level of public annoyance that can not be tolerated in urban areas around airports. So you spoke of averages, but aren't averages a way to hide the real impact on

TC-32

TC-33

TC-33

people and wildlife?

I think that we would recommend that you should use the preexisting bombing ranges, leave Otero Mesa and McGregor alone. And I have been told that the bombing ranges are not to be used on Friday noon through Sunday. Why aren't these bombing ranges used on the weekend? They should be. Thank you very much.

TC-34

JUDGE HEUPEL: Thank you, ma'am.

Now, that's all cards that I have got. Let me ask, did anybody turn in a card whose name I didn't call?

Is there anybody who didn't turn in a card, even though you didn't turn in a card saying you wanted to speak, now would like to speak that hasn't been able to speak previously?

Yes, sir. If you will come on up, and will you state your name?

MR. WITT: My name is Ted Witt. I live in T or C. For obvious reasons, I won't give you my name and address.

I am concerned, also, with the flights over T or C. I am wondering why the pilots, with all their instruments and all their training, is it absolutely imperative that they fly over the cities. Like so

TC-35

many people have already said, we had an experience in some cabins out in the boonies this side of Winston. And I was fixing a roof on some old cabins when two plans went by. I could see the guys blue eyes. If I had my rifle, I might have shot one of them down. They were that close to us. They scared the hell out of me. We had to flatten ourselves on the roof because we couldn't see them. We didn't know where they were until they were right over us. I don't know what route the went down, but they were close. We were in the bottom of a canyon. It's called little red hill, and they had to have had zoomed down to get as close to us as they did. You know the level of the mountains are here, and they were - - it was frightening.

The lady with the impact statement, I noticed there was a bill of $4 million for one opertion and another one for $20 million. And the one for $100 million the German government is supposed to be financing. Of this, how much is going to the Clinton Administration. I don't like Clinton. I never have. I didn't vote for him either time. I have never liked him. He is not my president, nor anybody else's. But I don't care for him. And I guess that's all I have to say.

JUDGE HEUPEL: Thank you, sir.

Anyone else?

MS. RIVERA: My name is Diane Rivera from T or C, and I just want to go on record and say that I protest any flying going on over Truth or Consequences, but more I protest the Germans being in our country. And if it was just Americans flying around here, you wouldn't have me here. I would not protest.

JUDGE HEUPEL: Thank you, ma'am.

Is there anybody else who has not spoken that has any comments that they want to provide? I don't see anybody.

It's a quarter of 9:00 now. I understand the sincerity of your concerns and sense that in your demeanor and in your expressions. We appreciate your coming out and providing your concerns, particularly providing some of the things where you think this needs to be looked at more closely, concerns about some of the routes. It's important to have that input and to make sure that that goes before the decision makers. The people doing the environmental analysis are going to have to take this and work with it and see what needs to be done. But it's input from the public that is vital here. And I very much appreciate

your coming out and giving the input. All of it has been taken down by Mr. Porter, and he'll be transcribing it. And your presentations will be in the record, and will be there for analysis and be there for the decision maker to read.

Thank you for your participation and your comments.

(Meeting adjourned at 8:50 p.m.)

* * * * * * * * * * * * * *

STATE OF NEW MEXICO)
)
COUNTY OF DONA ANA)

I, Michael Porter, Official Court Reporter for the State of New Mexico, hereby certify that I reported to the best of my ability the proceedings in the public hearing for the Draft EIS concerning the expansion of the German Air Force at Holloman Air Force Base; that the pages numbered 1 through 93, inclusive, are a true and correct transcript of my stenographic notes and were reduced to typewritten transcript at my direction; that on the date I reported these proceedings, I was a New Mexico Certified Court Reporter.

Dated at Las Cruces, New Mexico, this 16th day of July, 1997.

Michael Porter, CSR
New Mexico CCR No. 60
Expires: December 31, 1997

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

SIGN IN SHEET

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3	MARGOT WILSON	PO BOX 926 E.B NM	87935
4	Leonardo T. Rivera	1415 Nickel St TorC	87901
5	Doyle Workman	Tor C	
6	Dave Workman	T or C NM	87901
7	Bernice Rich	HC 30 Box 8 Cuchillo	87901
8	Dorothy E Abey	188 Tor C	
9	Don Fingado	Box 101 T. or C.	
10	Lillian Perry	312 Foch St. Tor C	
11	LESTER MILLIGAN	922 N. FOCH ST, T. OR C.	87901
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Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

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14	JOG HANSON	HCR 31 BOX 40 CUCHILLO	87931
15	Thomas Fabrizio	H32 Box 4 Tor C NM	87901
16	Neil C Johnson	HC 32 Box 4 Cutler Rd Tor C NM	87901
17	Dolight L Coatsworth	BLM, 1800 Morgan St., Las Cruces, NM	88005
18	WALTER LUTON	BLM, 1800 Marquess ST. Las Cruces, NM	88005
19,20	Pat & Joe Thompson	Box 729 Williamsburg NM	87942
21	GERALD & CHARLENE GREVEE	BOX 1273 ELEPHANT BUTTE NM	87935
22	Jill Cox: Congressman Schiff's Office	1075 Silver SW STE 140 Albuquerque	87102
23	Milonne E Hayes	3104 N Riviera Dr.	87901
24	PATRICIA BARKER	908 IVY-TOR C NM	87901-6640
25	Joan Gooding	PO Box 4, Tor C, NM	87901
26	RALPH GOODING	" " "	"
27	WILLIAM RITCH	Box 8 CUCHILLO NM	87901
28	Lois Reaver Black	521 E Riverside Tor C NM	87901
29	Bill Johnson / Desert Journal	200 Austin, Tor C, NM	87901
30	R. Williams	BX 321 W. Williamsburg, NM	87942
31	Joe Sisto	619 Brenlan T. or C	
32	GEORGE T WRIGHT	PO Box 1244 TOR C, NM	87901
33	Tony Kopp	455 El Paseo Las Cruces NM	88005
34	Richard Goodwin	PO Box 739 Elephant Butte NM	87935
35	Bill Loomis	P.O. Box 58 Elephant Butte N.M.	87935
36	Diana M. Rivera	1415 Nickel St. Tor C. NM	

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NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Meadow Valley Contractors, Inc
P.O. Box 141, San Antonio, NM. 87832

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We want to support the proposal

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MAILING ADDRESS 1415 Nickel St

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T or C N M 87901

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NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) NM PILOTS ASSOCIATION

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Dona Ana County Associated Sportsmen, Inc.

P. O. Box 1417 Las Cruces, N. M. 88001

Dedicated to The Conservation of Soils, Forests, Waters, Wildlife, and All Natural Resources

Affiliated with
NEW MEXICO WILDLIFE FEDERATIO

Ms. Sheryl Parker
Headquarters Air Combat Command/CEVA
129 Andrews Street
Langley AFB, VA 23665-2769

July 9, 1997

Dear Ms. Parker:

Following are my comments on the Draft Environmental Impact Statement for the Proposed Expansion of German Air Force Operations at Holloman, AFB, New Mexico.

TC-36 I want to preface my comments with the statement that I, and the group that I represent, are supportive of the military and its on going mission. However, that mission must consider the impact that any proposed programs may have on the environment and socioeconomic status of those living in the impacted zone.

It is disturbing that one of the primary areas proposed for the expansion of Air Force operations is one that is only temporarily withdrawn from public use, could easily be brought back to public use, has some unique environmental characteristics, and has historically been used by the public for hunting, camping, birding , etc. It also disturbing to find that this draft impact statement builds on a "unconnected previous proposal" modifying airspace use in southern New Mexico and West Texas. That proposal looks at the impact of 12 German Tornado aircraft. You are now proposing an additional 30 aircraft to be used in the same area. The piecemeal consideration of these proposals, in the least, provides misinformation to the public with regard to the cumulative impact of military operations in the area.

TC-37

For the following reasons listed below it is our recommendation that the western section of the Otero Mesa not be used for the proposed bombing range and that the Tularosa Basin portion of McGregor Range be the primary site for consideration.

TC-38 Noise: Individual encounters with jet noise obviously will not increase. However the occurrence of jet noise must by definition increase. This must have a cumulative effect on wildlife and individuals living in the impacted area. This air noise is not consistent with the use the mountains to the west of the site. It is a recreational area dependent economically on tourism and the use of the forest. This will certainly have an effect on the recreational experience. This will occur under all but the no-action option. You have not adequately calculated this impact.

TC-39 Biological Resources: The proposal states that there will not be any significant impact on biological resources of Otero Mesa. Flat blading 8 square miles of desert grasslands seems to be a large impact. The mesa area contains some of the best grasslands in southern New Mexico. As more and more grasslands are converted to desert shrub in other parts of New Mexico, these grasslands become even more unique.

The basin site has already been impacted and is restricted in use. The BLM is recommending that this area be permanently withdrawn. Why not use an area that is already used? Why go out of the way to cause greater environmental impact?

TC-40 Historical Use of Site: The Otero Mesa has been used historically by hunters, hikers, birders, etc. The Tularosa Basin site is restricted in use by the public. There would be no socioeconomic impact of the Tularosa site. Again why cause an impact when it is not necessary. This historic

TC-41 use is not cited in the study as an impact. Closing the southern section of Otero Mesa an additional 60 hours per week in addition to the amount of time it is already closed effectively eliminates the use of the Mesa by the Public.

TC-42 Alternative Proposals: The Mesa and the Basin are the only two sites included in the proposal. An alternative proposal would be to use cites on the White Sands Missile Range. Why has this not been considered? The Missile Range authorities have said that they could work with the Air Force and coordinate activities.

TC-43 Other general comments: It seems that the impact statement is not complete. The draft indicates that there will be very little impact on individuals living below the proposed flyways. Yet there have been quite a number of people who have expressed dissatisfaction with this conclusion. No where in the draft has this been reported. It seems the rural residents of the county will have to

TC-44 bear the brunt of the costs of this proposal while the urban populace will get the benefits. No where in the draft have the historic uses of the land in question been discussed. This is an impact.

TC-45 In conclusion, I want to express the opinion that this document is not complete. Many issues are not addressed. I would hope that in the final draft all the issues will be addressed.

Respectfully,

Anthony V. Popp
Member, Board of Directors
Dona Ana County Associated Sportsmen, Inc.

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input.

PLEASE PRINT

DATE: 7/9/97

I AM NOT IN FAVOR OF FURTHER EXPANSION OF AIR FACILITIES OR ACTIVITIES IN NEW MEXICO — SPECIFICALLY HOLLOMON AFB. WHITE SANDS SHOULD BE SUFFICIENT.

I OBJECT STRENUOUSLY TO EITHER FOREIGN (GERMAN) OR US AIR FORCE PLANES FLYING OVER T. OR C. OR ANYWHERE IN SIERRA COUNTY.

IF YOU WERE GOOD AMERICANS YOU WOULD SEND THE GERMAN FORCES BACK TO GERMANY & BRING OUR OWN MILITARY HOME WHERE THEY BELONG

**** CONTINUE ON BACK FOR MORE SPACE ****

NAME: MILDRED E. HOOPER

ADDRESS: 304 N. RIVERSIDE DRIVE

CITY: T. OR C.

STATE/ZIP CODE: NM 87901

Please check if you would like to receive a copy of the Final Environmental Impact Statement. [ ]

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

MORE NEW MEXICO TERRITORY FOR THE GERMAN AIR FORCE?

Ny name is Don Velzy. I am a natural person, residing, in Las Palomas, Sierra County, New Mexico. I am NOT anti-government. I am NOT some kind of a radical nut. I just want the government to abide by the supreme law of the land - the Constitution.

I have researched at length, the Constitution of the united States, the New Mexico Constitution and the Border XXI program. The Border XXI program, being that program involving a strip of land 100 kilometers wide from the Gulf of Mexico to the Pacific Ocean, 62.5 miles into Texas, New Mexico, Arizona and California, illegally appropriated by the United States government under NAFTA to become an International Territory..

NOWHERE in my research have I found ANY authority in the united States Constitution or in the New Mexico Constitution for the billeting of foreign troops in New Mexico or any other state of the Union!

Instead of granting the German Air Force more territory in New Mexico, this foreign military force should be immediately removed from New Mexico and the uS. It's presence here makes New Mexico a conquered and occupied territory.

Further, I request, no I demand, that the Sierra County Commissioners immediately enact a county ordinance protecting Sierra County's air space and ground territory from encroachment and/or maneuvers by any foreign troops.

In closing, I would suggest that in as much as it is my belief, that foreign troops are in New Mexico to enforce the Border XXI program, just like our marines are in Australia to enforce gun control in that country, the Sheriff of Sierra County, and as many of us as he needs to deputize, escort this panel to the county line.

THEY ARE NOT OUR FRIENDS.

D. E. Velzy

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input. DATE: July 4th, 1997

PLEASE PRINT

I am most intrested in the enviromental impact of low-altitude navigation sorties increasing above areas surrounding the Gila west of TorC and the Black Range.
As a resident of a family owned home in Chloride, NM. I am intimately aware of the low-altitude Military Training Routes above our community. Frequent fly bys often involve subsequent "sonic-booms." Would this particular route (shown in black on map shown in presentation west of TorC) be affected by the increase in low-altitude training routes proposed in the expansion? If so, could the frequency of sonic-booms be monitored and controlled so that the environmental impact on rural residental homes would be minimal?
All in all I am in favor of the Expansion proposal but would like to see or hear this concern addressed.
Thank you.
Area referred to is approx. 50 mi. west of TorC off of state road 52.

-46

****** CONTINUE ON BACK FOR MORE SPACE ******

NAME: Charlene Garner
ADDRESS: p.o. box 1273
CITY: Elephant Butte, N.M.
STATE/ZIP CODE: 87935

Please check if you would like to receive a copy of the Final Environmental Impact Statement. ✓

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769



FLAGS, STATE, UNITED AND united STATE COURTS. JUDGES, AND CONSTRUCTIVE TREASON

Definition: U.S.C. =UNITED STATES CODE

1. The flag of the united States of America, is under Title 4 U.S.C. Sec. 1 pursuant to presidential executive order #10834, Dated August 25, 1959

2. The flag of peace of the united States of America, is (1 X 1.9 **proportional** dimension under U.S.C. Title 4 § 1 and represents the united States and the Constitution. All other flags, under the law of the flag, that appear to look like or represent by fraud the Title 4 §1 flag, are in fact a desecration of the united States flag of peace flag of peace of the united States of America, pursuant to U.S.C. Title 4 §3 and a fraud pursuant to F.R.C.P. 9 (b), condition of mind.

3. When **anything** is placed on the united States Flag (PEO #10834), or the standard, or top or (final), or the flag pole by which the flag is flown, will cause the Title 4 U.S.C. § 1. united States flag of peace of the united States of America, to be desecrated and create a foreign state/power jurisdiction. The fiduciary, (Judge)of the power, now becomes the master, over all who make contract with the foreign state/power jurisdiction. Judge to master. Attorney to Esquire. Article I section 9 of the constitution of the united States: No titles of nobility shall have jurisdiction over any sovereign citizen in party of the united States of America.

4. The state and federal courts are both federal courts as they have a desecrated (U.S.C. Title 4 § 1) united States flag of peace with a foreign yellow fringe on or around the flag behind the bar (sanctuary) in the court room. The State courts can be made to preform pursuant to Federal Rules of Civil Procedure U..S.C. Title 28. (Think about the thousands of Americans who have died to protect the (U.S.C. Title 4 § 1) united States flag of peace of the united States of America.)

5. All judges state and federal are common law Judges as Judges take an oath to protect the united States of America Constitution, which the (U.S.C. Title 4 § 1) united States of America flag of peace stands for, then the Judges breach the oath by having a foreign yellow fringed flag in the court room. (Again thousands of Americans have died to protect the united States Constitution that the Judges show contempt for.)

6. All courts are sanctuaries and neutral until a flag is placed behind the bar in the court room, which gives the courts jurisdiction under the law of the flag and as the court rooms have a (U.S.C. Title 4 § 1) united States flag of peace of the united States of America with a foreign yellow fringe around or on the flag behind the bar, the court becomes the court of a foreign state/power jurisdiction without a constitution. And not recognized by any government in the world. The Judge of the court is the fiduciary and responsible for the flag that is in the court room. (Have you ever heard a judge say the constitution is not allowed in "his" court or this is "my court" that is because he represents a foreign state/power without a constitution and it is "his court". (Placing the foreign yellow fringed flag in the court room to deny the defendant his rights with out a disclaimer is **"constructive treason"** the Judge took an oath to protect the constitution and the rights guaranteed by the constitution. Then the Judge puts in the court room a foreign yellow fringed flag of a foreign state/power **"constructive treason".** (The constitution protects rights given by God, the constitution not give rights.)

7. If the court had a (U.S.C. Title 4 § 1) united States flag of peace of the united States of America, without the foreign yellow fringe it would be a court of common law jurisdiction and rights would be protected.

8. As the (U.S.C. Title 4 § 1) united States flag of peace of the united States of America, is the top or "honor" flag in the united States, the flag takes jurisdiction over any other flag in the court room behind the bar (sanctuary). **(Authority army regulation 840-10)**

9. To challenge the jurisdiction of the court and the foreign flag you must have a (U.S.C. Title 4 § 1) united States flag of peace, and one other individual. (Witness) with you. (not a "person," " person" is a "corporation" dead no rights)
a. All courts are contract courts you must capture the flag and jurisdiction of the court before you give your name.
b. If you are the defendant or plaintiff to get common law jurisdiction. You must enter the bar and make this statement, "This is the American flag of peace (TITLE 4 U.S.C. 1) of the united States of America pursuant to federal rules of civil procedure rule 38(a), this is a 7h amendment united States constitution common law hearing." My name is (give your full name, first full name, middle full name and last full name don't initialize)" The witness with you must confirm both facts. **Say only if the Judge challenges you:** "Army regulations 840-10 chapter 2-1(A.B.) and (2-5 (A.B.,) states the united States flag will be of red white and blue with a star for each state, and will be the highest honor position over foreign flags and the president's flag which has a yellow fringe. All admiralty and maritime flags are foreign flags. By the law of the flag. Ref. Blacks Law Dictionary. Plaintiff or the defendant is not an attorney at law. Plaintiff or defendant is a "citizen in party", before this court". **Say only if threatened by the Judge:** "All attempts to use "collusion" or "coercion" will result in a violation under Title 28 chapter 85 U.S.C. 1359, cause of action suspending all jurisdiction of the court and immunity from a Title 42 section 1986 law suit. Failure of the court to join (F.R.C.P. 12 (b) (7), with the American flag of peace (Title 4 U.S.C. 1) jurisdiction, will result in (F.R.C.P. rule 16 (f) sanctions. Under this action and (F.R.C.P. rule 37 (b) (2) (B), (C), (D)". You must "recapture the flag" each and every time you enter the bar. Wear the united States flag of peace on your left chest, or carry it. While you are behind the bar never put your flag down, remember the flag behind the bar gives the court jurisdiction so if you put your flag down you lose jurisdiction.. (The judge can not rule over two jurisdictions)

11. The National flag is of **proportional** dimensions (4X6) of that of the union of the Title 4 U.S.C. § 1 flag, making the stripes shorter than the American Flag, however suspending the constitution under Military control. Placing a yellow fringe on the National Flag = (Army Reg. 260-10 Ch. 8), is for inside display or court marshals, Maritime or Admiralty courts. Use of a yellow braid or spear, on the standard top (Army Reg. 840-10 CH. 2, 2-6), will cause the same jurisdictional results, to suspend the constitution, making the party guilty, until proven innocent, violation of the F.R.C.P. rule 12 (b) 3 wrong venue, and 12 (b) 7 joiner.

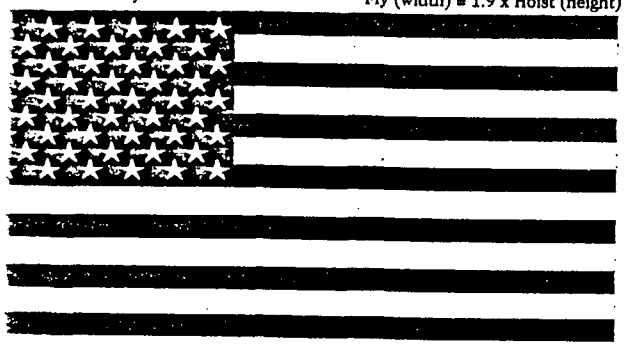
12. The U.S.C. Title 42 1986 law suit: Make sure that the (U.S.C. Title 4 § 1) united States of America Flag of peace is on the top right side of your paper work **(It must be red, white and blue)** The Judges and Attorneys are esquires operating under a foreign state/power. Make a line across the page under the defendants and under this line state the followning disclaimer: NOTICE. RESPONSIBILITY DISCLAIMER UNDER U.C.C. 3-501: PURSUANT TO F.R.C.P. RULE 38 (a), THE CASE TITLED ABOVE IS UNDER THE TITLE 4 U.S.C. 1 united STATES OF AMERICA FLAG OF PEACE, UNDER PRESIDENTIAL EXECUTIVE ORDER 10834, NO TITLES OF NOBILITY UNDER ANY FOREIGN FLAG JURISDICTION AND IN BREACH OF ARTICLE (1), SECTION (9), OF THE CONSTITUTION OF THE united STATES OF AMERICA, WILL BE ALLOWED IN THE JURISDICTION OF THIS CASE. BREACH OF THIS CONTRACT WILL CAUSE SANCTIONS UNDER F.R.C.P. RULE 16 (f). WHEN THE CONSTITUTION OF THE united STATES IS SURRENDERED TO A FOREIGN POWER TO CAUSE THE BREACH OF CONTRACT, OF OATH

FLAG RECOGNITION

ited States Flag of Peace, Title 4 U.S. Code Chapter 1. Preserves Constitution

'nion = 40% of fly

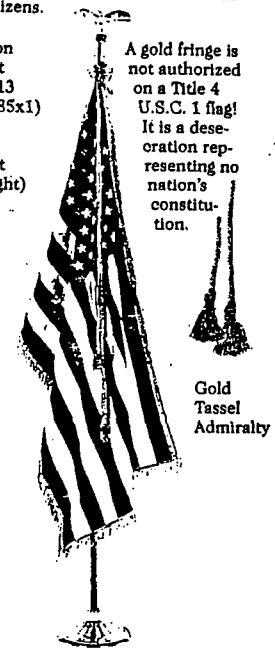
Fly (width) = 1.9 x Hoist (height)



National flags authorized in 4 USC 1, Sec. 32 are those used by the executive branch of the government. They represent government not individual citizens.

Union hoist = 7/13 (.5385x1)

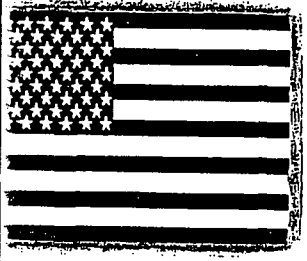
Hoist (height) = 1



A gold fringe is not authorized on a Title 4 U.S.C. 1 flag! It is a desecoration representing no nation's constitution.

Gold Tassel Admiralty

National Flag (suspends Constitution)
Army Ceremonial and Parade Flag
AR840-10(b-1) 4'4"x5'6"



Gold Ball Recruiting



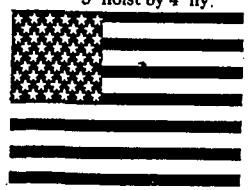
Gold Spire Court-martial



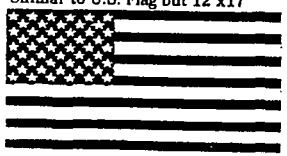
Gold Eagle President, U.S.A.



National Flag (suspends Constitution)
Army Boat Flag AR840-10(a-6)
3' hoist by 4' fly.



National Flag (suspends Constitution
Army Post Flag AR840-10(a-2)
Similar to U.S. Flag but 12'x17'



Official Missouri State Flag



Desecrated Missouri State Flag



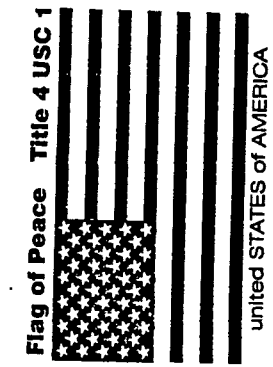
OUR FLAG

There is only one united States flag which preserves the rights protected by the u.S. Constitution. A 4-U.S.C.1 (innocent until proven guilty) is the Flag of Peace.

National flags are government flags. They do not preserve the u.S. Constitutional rights (guilty until proven innocent).

When a gold fringe is added to a 4 USC 1 flag (red, white and blue) it desecrates that flag. A red, white, blue and gold flag does not represent the u.S. Constitution.

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Summary of Land Lawfully Held by Federal Agencies in Nevada, Pursuant to Article I Section 8, clause 17 of the U. S. Constitution

(Source: Inventory Report on Jurisdictional Statues of Federal Areas Within the States, As of June 30, 1962, Compiled by GENERAL SERVICES ADMINISTRATION)

County	Land Held (Acres)
CHURCHILL	.5
CLARK	2.0
DOUGLAS	.0
ELKO	.4
ESMERALDA	.0
EUREKA	.0
HUMBOLDT	.4
LANDER	.0
LINCOLN	.0
LYON	.4
MINERAL	.3
NYE	.0
ORMSBY	.7
PERSHING	.4
STOREY	.0
WASHOE	.4
WHITE PINE	.3
Total	5.8

Luftwaffe Invades New Mexico

On May 1st, Secretary of Defense William Perry took part in a ceremony at New Mexico's Holloman Air Force Base marking the official opening of a German military installation there. The facility is the first permanent military installation established in the United States by a foreign nation.

As a demonstration of the uniqueness of this arrangement, Secretary Perry and New Mexico Governor Gary Johnson were welcomed to the installation by German Defense Minister Volker Ruehe. Where our own officials would ordinarily do the welcoming of dignitaries from a foreign nation at a stateside military base, the German Defense Minister did the greeting on this occasion.

Of course, half a century earlier the reception would have been very different, with the Luftwaffe paying the price in blood in order to gain "access" to U.S. air space.



Tornado fighter jets flying over New Mexico desert: The German Air Force is now at home on U.S. soil.

The unit, commanded by Colonel Eckard Sowada of the German Air Force, is already home to 12 European-built Tornado strike fighter planes. Approximately 300 German military personnel are stationed there, along with their families. Germany will add another 30 Tornados, 600 more military personnel, and additional family members by 1999. Germany will pay the U.S. $40 million annually until 1999, and $100 million annually thereafter.

While it is true that German military personnel have trained in the United States for decades, all have previously served under the command of U.S. officers. German pilots have learned to fly F-104G Starfighters at Luke Air Force Base in Arizona and F-4F and F-4E Phantom jets at George Air Force Base in California.

The newly created facility at Holloman will house aircraft bearing the German Maltese cross. Colonel Sowada will be reporting directly to superiors within his own nation's armed forces, with no American in his chain of command. His immediate boss is General Gerd R. Meyer, who heads the German Armed Forces Command for the United States and Canada from an office in Reston, Virginia, just outside Washington.

While our own officials liken this arrangement to the 40-year presence of U.S. military bases within Germany, they ignore the central question of whether or not the U.S. should continue to station troops in Germany and other faraway lands. Why should the U.S. taxpayers continue to offset the defense budgets of Germany and Japan? Why not station German soldiers on German soil and American soldiers on American soil? The present arrangement makes perfect sense, however, if the development of a new world army is the goal.

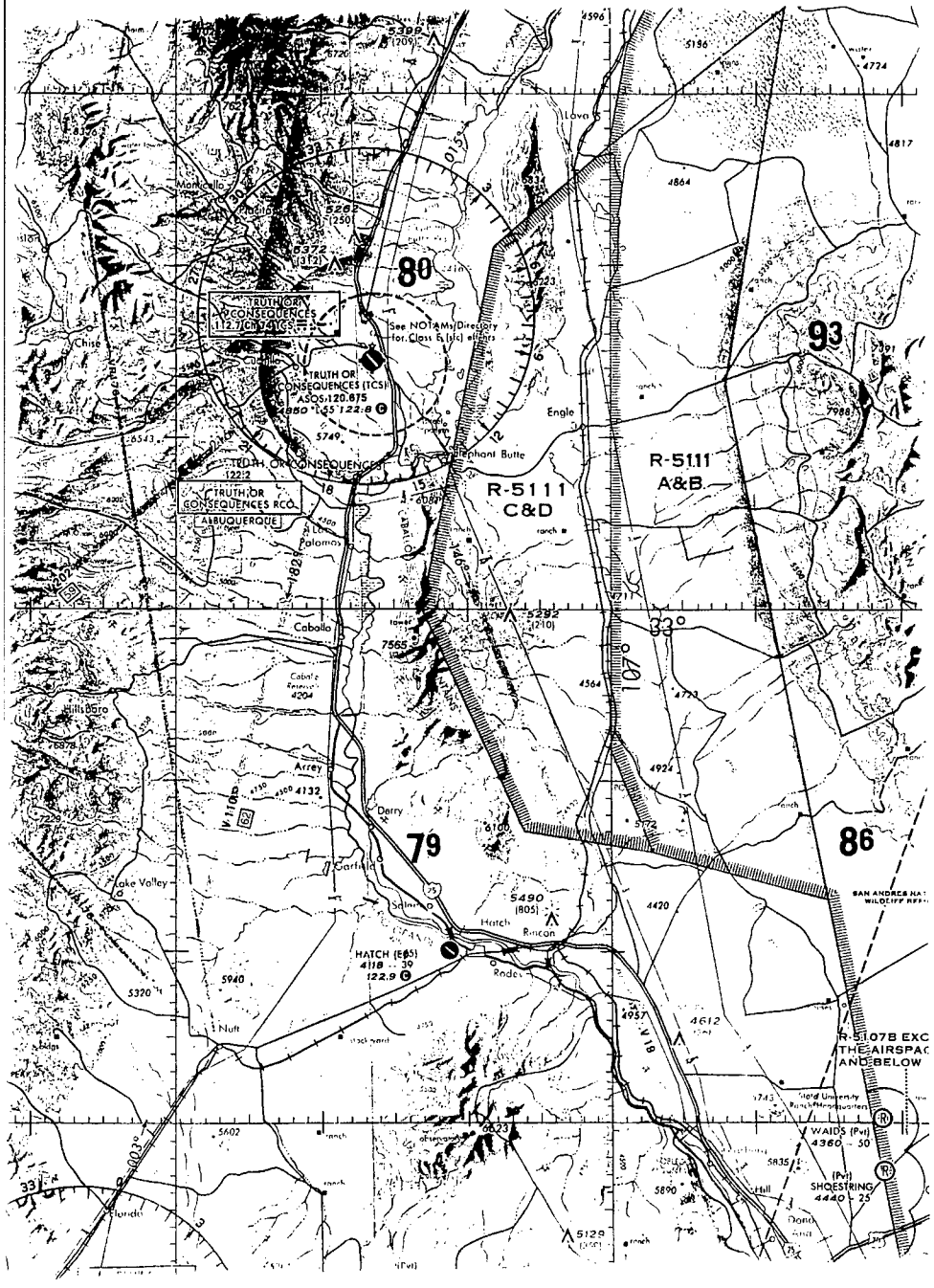
Pentagon officials sought to sidestep any criticism of the Clinton Administration over the German base at Holloman by pointing out that the agreement was negotiated by President Bush and his Defense Secretary, Dick Cheney. Chief Pentagon spokesman Kenneth Bacon contended: "This should not be portrayed as a German invasion or occupation of U.S. space." At a news briefing, he insisted that "the Germans are tenants at Holloman Air Force Base, which continues to be a U.S. Air Force Base." On the other hand, the Deutshe Presse-Agentur, which does not have to concern itself with playing to an American audience, put a very different spin on the story: "The German and American defence ministers have christened a German military base in the southwestern U.S. desert, the first permanent military installation set up in the United States for a foreign nation."

U.S. spokesmen claim that weather conditions in New Mexico are ideal for pilot training. Also, they note, New Mexico with only 1.5 million people is the same geographic size as Germany with a population of 80 million. All of this means that there is ample space for training missions, even for target ranges. But when pressed by a reporter, Bacon sought to minimize the uniqueness of the arrangement by referring to our nation's long-standing policy of training NATO pilots here. NATO is undoubtedly the overseer of this entire arrangement.

The creation of an official German base in New Mexico is another step toward the creation of an internationally controlled military force. NATO, a creature of the United Nations, seems earmarked to supply the military arm that the UN has always wanted. While each of the 16 NATO nations wields one-sixteenth of NATO's decision-making authority, Germany and the United States are militarily the alliance's most important members. Having these two NATO powers entangled more tightly will undoubtedly strengthen NATO.

Secretary Perry and others maintain that having a German base within the U.S. is a sign of great progress. But progress toward what? There is no military threat to this nation that would remotely justify inviting forces from other nations to take up positions within our borders. Even at the height of the Cold War, when our own leaders constantly told us that the Soviet Union was a significant potential adversary, no one suggested that foreign military personnel set up bases here. Now that Germany has been permitted to establish a base within our borders, what's to keep other nations from being invited to do likewise? ■

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R-5111
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A&B
TRUTH OR CONSEQUENCES
TRUTH OR CONSEQUENCES (TCS)
TRUTH OR CONSEQUENCES RCO
ALBUQUERQUE
See NOTAMs/Directory for Class E (sfc) effects
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Elephant Butte
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Carfield
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THE AIRSPAC
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WAIDS (Pvt)
4360 - 50
SHOESTRING
4440 - 25
33°
107°
103°

SECTION 4.0

FORT SUMNER, NEW MEXICO
PUBLIC HEARING TRANSCRIPT

JULY 10, 1997

PUBLIC HEARING ON DRAFT ENVIRONMENTAL
IMPACT STATEMENT FOR THE PROPOSED EXPANSION
OF GERMAN AIR FORCE OPERATIONS AT
HOLLOMAN AIR FORCE BASE, NEW MEXICO

JULY 10, 1997
FORT SUMNER COMMUNITY HOUSE
FORT SUMNER, NEW MEXICO

COLONEL JAMES HEUPEL, PRESIDING OFFICER

MS. SHERYL PARKER, ENVIRONMENTAL OFFICE LANGLEY AFB
MR. BOB JOHNSON, ENVIRONMENTAL STAFF HOLLOMAN AFB
LIEUTENANT COLONEL DON HARGARTEN, HOLLOMAN AFB

COPY

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Phone (505) 242-2809 FAX (505) 242-7370

JUDGE HEUPEL: Ladies and gentlemen, we are going to go ahead and start in now. I've got about 14 minutes after 6:00. We may get a few more people coming in, but I want to thank you for coming out tonight. This is the public hearing on the draft environmental impact statement. Here it's referred to as the draft EIS for the Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico. I'm Colonel Jim Heupel, and I will be the presiding officer for tonight's meeting.

Before any decision to expand the current German Air Force presence at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an Environmental Impact Statement before the Secretary of the Air Force makes any decisions.

Now, part of the process involves receiving public comment on the draft EIS, which was written over the past year following the scoping meetings last summer. At the scoping meetings, the Air Force asked for public input on the scope or range of issues that should be studied in this EIS. Now, this part of the process enabled the Air Force to learn about issues

involving expansion of the German Air Force at Holloman that were not previously identified. The relevant comments gathered during scoping are included in the environmental analysis. And this analysis is contained in the draft EIS, the contents of which are the subject of tonight's hearing. Now, the EIS has been distributed for public review and comment. Based upon input received during the 45-day comment period, additional analyses will be evaluated and/or performed and changes will be made to the EIS as necessary. If you have not had an opportunity to read the draft EIS before tonight's meeting, you are encouraged to do so as soon as possible. A fact sheet with a list of document locations is available at the information table. I'm holding that up. I see some of you have some of the blue fact sheets. You may also read the summary of potential environmental impacts, which is also in the handout at the information table, and the findings will be addressed in the presentations that follow.

Now, at this point, I would also note that there are seven fact sheets consisting of 14 pages. These are blue in color, and these will become an exhibit or part of the final EIS because they are available for your review here tonight. I would also note that there are the display boards in the back, and we also have five

legal size sheets of paper that are duplicates of those display boards, and those will also become a part of the final EIS since they are available for your review here tonight.

There are two goals with regard to the meeting tonight: The first is to provide information to you about the analyses of potential impacts to the environment resulting from the Air Force's proposal, and the second is to receive your comments on the analyses. This will help the Air Force address all concerns about the proposed action because comments received during this comment period -- the comment period started on the 20th of June and it goes until the 4th of August -- all comments received during that time frame will be responded to in the final EIS. Tonight's hearing is the fourth of six to be held in various communities in New Mexico and Texas.

Before introducing the members of the panel, I would like to explain my role in the hearing. I'm a chief trial judge for the Air Force. I preside over military criminal cases, so I'm not here as an expert on this draft EIS, nor have I been involved in its development, and I'm not here to act as a legal advisor to the Air Force representatives who are going to be addressing the proposed action. My purpose is just to

ensure that we have a fair, orderly hearing, and that everybody that wishes to be heard and speak tonight has an opportunity to do so.

Now, let me introduce the members of the panel. On my immediate right is Mr. Bob Johnson, who is from the Environmental Office at Holloman Air Force Base. To his right is Ms. Sheryl Parker, who is from the Environmental Office at Air Combat Command Headquarters at Langley Air Force Base, Virginia. And to her right is Lieutenant Colonel Don Hargarten, who is the Deputy Commander for Operations, or the Assistant Deputy Commander, rather, for the 49th Operation Group at Holloman Air Force Base.

Here's the schedule that we will be going through: Mr. Johnson will speak in just a few moments to provide a short summary on the environmental process and what you can do to provide input in what goes into the final EIS. Then Colonel Hargarten will provide information on the proposal and three options the Air Force is looking at in order to facilitate increased German Air Force operations of Holloman. And then finally, Ms. Parker will review the analysis of potential impacts to the environment from the proposed action and training option locations.

Following these presentations, we will

consider any questions to clarify what it is the speakers may have just covered. If there's something that they indicated you didn't understand or you're not sure whether you heard them correctly, we can clarify what they said. After that, we will take a short break and then we will go into the public comment period where you'll have an opportunity to provide your comments on the record. We do have a court reporter with us. Irene Delgado is here, and she is taking down, word for word, everything that is said in the hearing, both by the Air Force representatives, as well as from you, the public. Your comments will become a part of the official final record, and your comments, we're taking them down verbatim so that your comments can be addressed by the staff doing the environmental analysis work and so that your comments will be part of the final EIS to be reviewed by the decision maker.

I will cover the procedures that we'll use. Given the number of people here, I'm going to be considerably more lax than I would be if we had 30, 40, 50 people here, since right now I see about six people that I'm not familiar with. So we will go through that after the break.

Now, you can comment tonight in one of three ways: You can comment using this written comment

sheet that I'm handing or I'm holding up. You can comment on that and turn that in tonight, if you would like. You can take it with you and you can use it, or just use the address at the bottom to send more detailed remarks in. Again, I point out that any remarks need to be received by the 4th of August at Langley in order for them to be definitely included in the final EIS. And of course, the third part is, you can make oral comments here tonight. Actually, you can do all three of those, and we're here in order to hear from you, and so we solicit your involvement to make the whole decision-making process better.

At this point, I will ask Mr. Johnson to talk about the EIS process and schedule.

MR. JOHNSON: Good evening. My name is Bob Johnson, and I work at the Environmental Flight at Holloman Air Force Base. And during the next few minutes I will provide you with some general information about the Act which serves as the basis for these hearings, what we intend to accomplish, what's involved in the process, and what your role is in this process. And I will also go over the schedule as it relates to the proposed action that we are evaluating.

NEPA, which was enacted in 1969, requires that we, a federal agency, before we as a federal agency

do something, we must analyze and document the environmental impact of that something before we proceed with the proposed action. Now, the NEPA document is intended to provide a clear, unbiased discussion of any potential environmental impacts relative to the proposed action and the alternatives. This analysis is intended to serve as a "clear basis for choice" and should avoid lengthy discussions of issues that are not relevant to the proposed actions.

And this leads me to a key statement in the NEPA regulations that's found in the "Purpose" section, and I want to quote it. "Ultimately, of course, it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent action."

Everything the Air Force has done up to now, and will do with this document, and everything we do here tonight points toward the day when the decision maker signs the Record of Decision. Our responsibility as employees of a federal agency is to ensure that a full and objective environmental impact analysis is performed for all components of this proposed action.

Is the EIS the only factor the decision maker takes into consideration? No. He or she must also

consider technical design issues, as well as monetary costs. The other factors that could be taken into consideration include values of the local public, as well as input from elected officials.

Once the decision is made, is the Air Force committed to implement the selection action? No. The final action in a NEPA process is the Record of Decision, and it is just that, a decision. If the decision is made to beddown the additional 30 aircraft and build the needed facilities, other constraints may cancel the proposal. The Air Force would not be legally obligated under NEPA to implement the selected action.

In other words, to use a phrase our team has heard a lot related to this and other Air Force proposals, this is not a "done deal." It is far from it and may possibly never become a done deal. The only decision made thus far has been to proceed with the environmental impact analysis. The decision of whether or not to do this "something" and how to do it won't be made until the analysis is complete, hopefully this December.

I said I would tell you how you can be involved in the process. As the Judge told you earlier, there will be specific methods you can use to provide your comments. The primary thing you can do is to ensure

your comment is relevant to the issues at hand. We are here to receive comments on the draft environmental impact statement. We are looking for feedback on environmental issues you might feel were not adequately addressed or not addressed at all. For instance, you might be a member of the Audubon Society and are aware of an endangered species in the region of impact we failed to address. Or maybe one portion of a discussion in the document was very confusing to you and you want to offer some suggestions on how we can make the explanation clearer. These types of comments are helpful to us and will be taken into consideration as we continue our analysis.

We won't, however, enter into a debate with anyone about the Air Force's policy on training or issues related to NATO alliances. If you have questions along these lines, I would refer you to the draft EIS, Chapters 1 and 2, and our fact sheets. These provide the Air Force's reason for what we're proposing, while fully realizing that not everyone will be in agreement with us. Again, our focus here tonight is the potential environmental impact of what we're proposing.

We don't have to have all inputs tonight. If you think of something tomorrow or the next day, you can send us your comments in writing. The comment period

will be open until August 4. The mailing address is on the fact sheets that you might have picked up and also on the comment cards.

So, where are we at in the NEPA process? Like all proposed actions evaluated under NEPA, there is a schedule or time line that we are doing our best to adhere to, and on the slide, you will see all the key actions required by NEPA. And of course, we are in the July 7 to 12 period right now with the public hearings, and we have two more to do. June 20 was the beginning of the comment period, and like I said, 45 days are required to allow for public comments, that's through August 4 . and, immediately after that, we will start incorporating all the input and the changes and continue our analysis.

Our goal is to have a final EIS in early November with a final Record of Decision signed in December of this year. I hope that the information I have just given you has provided a clear understanding of what NEPA requires, why we are holding these meetings, and what we are trying to accomplish. Again, our goal is to ensure the decision maker makes an excellent decision, which will lead to excellent action, one that allows the Air Force to accomplish its mission while also protecting the human environment. They go hand in hand. This concludes my portion of our presentation.

JUDGE HEUPEL: At this time, Lieutenant Colonel Hargarten will give you the details of the proposed action. Colonel Hargarten?

LT. COL. HARGARTEN: Thank you, Judge. I'm glad to be here tonight to provide an overview of this proposal to expand German Air Force operations at Holloman. Before I get into the specifics of what the Air Force is proposing to do, I would like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950s, Germany has demonstrated a commitment to its NATO role. German aircrews have been training in the US in fighter aircraft since 1957. They have trained in F-84s, F-104s, F-4s and Tornados. Since 1992, the US has provided German aircrew training in F-4s at Holloman Air Force Base, and I was the Squadron Commander of that squadron for two years. And the German/US partnership was clear to see as we hosted German Air Force pilots to ensure our allied aircrews are trained to the same high standards as US pilots. This partnership has been especially useful since the end of the Cold War, as multinational allied actions became an even more important means of protecting our nation's security and promoting stability around the world; as the Soviet superpower and Communist bloc in Europe fell; and

as the US began to withdraw its forces from Europe. All of these factors have made readiness and training more important than ever before because of a changing international environment, a greater diversity of risks and threats, and reductions in the US military budgets. This policy is reflected in the current National Military Strategy, which emphasizes international training and military exchanges.

For this approach to our defense to succeed, and for US and allied forces to be safe, we must provide US and allied aircrews with the highest caliber training. Combat readiness requires constant training, and that is another reason behind this proposal. The US and its allies must train the way they intend to fight. Responding to the government's new military strategy and increased risk demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training, low-altitude training, air-to-air training and air-to-ground training. Proficiency in all three is vital. We want to ensure that people fighting along side us are just as combat ready as we are. Holloman is well suited for further growth in the German Air Force training mission. In addition to having the infrastructure to support the

12 Tornados already at Holloman, the base offers available land, airspace areas, support facilities, local community support, and the benefit of being located near the German Air Force command headquarters at Fort Bliss, near El Paso, Texas. These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness because it provides realistic training opportunities.

But another integral part of our mission is serving as a good neighbor and a good steward of the environment. That makes it important to us that you assist in the decision-making process for this proposal and at any time you have concerns about our operations or activities. Our Public Affairs phone number is (505) 475-5406. Community input has been -- has already been gained in various areas to raise minimum flying altitudes over and distance from specific sensitive areas. We also work with the Federal Aviation Administration to reduce potential impacts to civilian aviation by providing advance notice when we are using many airspace areas.

In our role as caretakers of the environment, we believe that environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our military installations

to sustain diverse environments and monitor the condition of natural resources, including air and water quality and land condition, to ensure there is little or no degradation. We work closely with agencies such as the Bureau of Land Management, the US Forest Service, and the US Fish and Wildlife Service, to protect and enhance resources and minimize impacts to the sensitive areas.

Now I'll outline the main components of the proposal to expand the German Air Force's presence and establish a German Air Force Replacement Training Unit at Holloman. The replacement training unit would function as a school for German Air Force Tornado aircrews. First, the proposal includes facility construction and relocating an additional 640 personnel to support training of German aircrews in the 30 additional Tornados.

Second, it includes aircraft training in airspace throughout the region. And third, in order to meet the needs of the Tornado aircrews, three training options are considered within the proposed action, construction and operation of a new air-to-ground tactical complex at one of two locations on McGregor Range or use of existing military training ranges at White Sands and Melrose Range near Clovis, New Mexico, to accommodate training requirements.

The beddown of 30 additional Tornado aircraft would require construction of administrative and academic buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities and hangars, and dormitories at Holloman Air Force Base. Construction would total over $100 million. All the construction and relocation expenses directly related to the Germans would be paid for by the German Air Force.

A variety of airspace is needed to support the German Air Force mission. Airspace needs include military training for low-altitude maneuvers; military operations areas, or large areas of airspace where military aircraft practice air-intercept training; and areas restricted to military use. The proposed action would result in an addition of approximately 2,800 sorties on military training routes, 3,200 additional air-to-air or "dogfight" sorties in military operations areas or restricted areas, and 2,600 air-to-ground range sorties per year. Aerial refueling operations would also be performed. These sortie numbers are not cumulative. By that, I mean you simply cannot add up all those numbers and arrive at a total number of sorties that would be flown by the additional aircraft. A single sortie may include the use of a low-level training route,

and then performing in-flight refueling, then use of a military operations area for air-to-air training and, finally, delivery of training ordnance on air-to-ground training range.

Currently the majority of the tactical air-to-ground training is conducted in White Sands Missile Range. According to national policy, White Sands' mission of research, development, test and evaluation has priority over Holloman's training mission. As a result, it is presently difficult to get adequate time to train in White Sands airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features of the Red Rio complex and Oscura complex preclude their use for training in certain types of munitions deliveries.

We are looking at three options to meet air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range, which is currently controlled by the Army at Fort Bliss. One option is a location on western Otero Mesa, and the second option for the new target is a location in the Tularosa Basin portion of the range. If a new target complex were to be built, it would be comprised of a 2-by-4-mile impact area within a 12-by-15-mile safety

area. Construction activities would be primarily confined to the 2-by-4-impact area. No live ordnance will be used in the new target complex.

Although not operationally desirable, the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura on White Sands Missile Range west of Carrizozo, New Mexico, and Melrose Range near Clovis, New Mexico. These training options differ only with respect to utilization of airspace and ranges. Aircraft would access either the new target complex options or the existing ranges using military training routes.

I will now review a few slides that orient you on the location of these ranges.

JUDGE HEUPEL: Colonel Hargarten, before you start, I notice some people fanning. Would you like us to try the air conditioner and see how you can hear, or are you good enough as you are?

MS. WEST: I'm good.

MR. ELLIOTT: I'm hot. Turn up the fire.

JUDGE HEUPEL: Let's try it for a little bit, and if people have any difficulty hearing, let me know. I opened this side door to see if we get a little more ventilation, but the -- and we will probably need to close this door now, but just give us an idea if you are

having difficulty hearing, and we'll close it down.

LT. COL. HARGARTEN: Can you hear me okay now?

AUDIENCE: (Nodding heads.)

LT. COL. HARGARTEN: This slide, to orient you, Holloman Air Force Base is located here at the tip of my pen. This blue area here is the White Sands Missile Range. Just to the southeast of Holloman is McGregor Range. The green area's the Beak MOA, Military Operations Area. You are probably familiar with the Pecos Military Operation Area, which is overhead. Down to the south is Talon Military Operation Area. The 3,200 sorties I referred to would be flown predominantly in the White Sands Missile Range, McGregor, the Beak MOA, the Talon MOA and the Pecos MOA. And under the proposal -- well, I will get to those in just a second. Just remember where the Pecos MOA is located.

Next slide, please. Very different slide here. What it shows color coded are the different low-level or MTR routes that are in the local flying area for Holloman Air Force Base. Again, orienting you, Holloman Air Force Base is the area, the green circle here at the tip of my pen. You can see White Sands Missile Range. You can see Santa Rosa up here to the north with the low levels of VR-125 and IR-113 shown in green, VR-125 in the

light blue. Melrose Range over here in Clovis.

The sorties, if a new range was built and the 30 Tornados came, so we would have a total of 40 Tornados at Holloman, on VR-125, if a new range was built on VR-125, the Tornados alone, and not counting other aircraft, F-16s, although I can give you that number if you need it, and it's located in the EIS, it would be 100 sorties on VR-125. If the range was not built and they had to use existing ranges, there would be 400 sorties over VR-125 by Tornado aircraft. On IR-113, if the new range is built down here on McGregor Range down here, there would be 170 sorties on IR-113, the area in green. If the new range is not built, there would be 1,200 Tornado sorties on that.

The Pecos low MOA, because that's where the noises would -- you would hear more noises from the Pecos MOA which is overhead, to give you a few figures, whether the new range is built or not built, there are 71 Tornado sorties in the Pecos.

The Melrose Range sitting here at the tip of my pencil, if the new range is built on McGregor Range, there would still be 140 sorties on Melrose Range, but those 140 sorties would be for electronic and combat training. If the new range is not built, there would be 1,597 sorties flown on Melrose Range because the range

is, as I said in my script, over here on White Sands Missile Range, the range is not compatible for their training following the pattern. Next slide, please.

The next slide shows the range locations. So under the existing range option, which I was just referring to or sharing with you, they would be using Red Rio Range, which is a tactical range located 45 nautical miles north of Holloman, and Holloman is here. This is a 100 nautical mile circle, to orient you on the map.

Red Rio is a tactical range. It has a simulated airfield complex, convoy surface-to-air missile sites, much as is located at Melrose Range. It is not a scored range. It is not manned. It does have a single eye-drop target on this that would be used for training.

Oscura Range, 35 nautical miles north of Holloman in the White Sands Missile Range, is a conventional bombing range. It has like a few types of targets, but it has two conventional targets with concentric circles around them that are scored. It is a manned range, and it does have strafe.

The target at McGregor Range is a single target with concentric circles around it that is not scored and not manned. And Melrose, as I said, is about 145 miles northeast, is both a tactical range and conventional range.

Next slide, please.

MS. WEST: Where is Fort Sumner?

LT. COL. HARGARTEN: Okay. I have to go back to the original map. Go back to the very first one. Here's Santa Rosa right here. So Fort Sumner --

MS. WEST: Where is that?

LT. COL. HARGARTEN: Pardon?

COURT REPORTER: Ma'am, I need for you to speak up, please.

LT. COL. HARGARTEN: I probably shouldn't have been asking those.

MS. WEST: Were we inside the circle, is what I was wanting to know.

LT. COL. HARGARTEN: Okay, what I -- Judge, do you want to say anything here?

JUDGE HEUPEL: I will tell you what, if you could perhaps hold -- keep your question, and we'll come back to it in the clarifying part, it may be easier because I'm going to ask you to use the microphone so that everybody can hear and so the court reporter can get it and make sure she can get it as well. But since we already did it, the question was about the circle, whether Fort Sumner was inside the circle, and I think that's what you were asking. So is that something that can be answered off of this?

LT. COL. HARGARTEN: Yeah. I have another more detailed map where you can see Fort Sumner on that in reference, and I can show it to you here during the clarifying period.

Next slide, please. Okay. This slide shows McGregor Range. To orient you, they have "Oro Grande" over to the west. There's County Road 506 that runs right through the range that's in red. Just to the north of it is another line they refer to on the mesa and off the mesa. What that is, is if you follow this green line through the range, at the tip of my pen, that defines an escarpment, a 700-foot escarpment. So this area is referred to as the Hondo Mesa, and the area over here is the Tularosa Basin.

Also on this slide, it shows these 2-by-4-mile impact areas. This would be the west Otero Mesa location. This would be the Tularosa Basin location. Access to the 2-by-4 areas would have to be controlled 24 hours a day. The fences around it would be BLM approved fences where the antelope can still go in there and graze, but the public would not be allowed in that 2-by-4 mile area, a little over 1,000 acres.

See here the very light red area, that's the safety fan I referred to that goes out 27,000 feet from the 2-by-4-mile area. That safety fan, access by

the public, ranchers would have to be controlled when the range was in use. On the weekends, sportsmen, during hunting season, can hunt in this. Ranchers can check on their cattle before or after flying or on the weekend.

These little blue lines coming out, the blue lines are water pipelines coming down to some water troughs that they use for the cattle on the range. If you notice, there's one that goes through the west Otero Mesa location that would have to be moved, and Ms. Parker will talk about that shortly.

These other green lines represent different grazing unit boundaries, and there is no grazing off over here off the mesa, but beyond the mesa, it does split into two different grazing units.

The airspace that would be -- that could be used would include the modified military training routes and restructured airspace in southern New Mexico and west Texas that were contained in a separate proposal by the Air Force and addressed in a final environmental assessment, or EA, entitled "Proposed Airspace Modifications To Support Units at Holloman Air Force Base, New Mexico." That action also involved establishment of an air refueling route. This EA has been approved by the Air Force and is undergoing review by the FAA. If this airspace modification is not

implemented, existing airspace would be used to support the increased Tornado aircraft. These differences in airspace availability and utilization are taken into account in the analyses of impacts in the EIS that we're addressing today. Ms. Parker will discuss these impacts shortly.

In addition to the proposed action and its three training options, the EIS includes the no-action alternative, which analyzes the environment without the additional aircraft and aircrew relocation, target complex construction, or change in airspace utilization. This alternative does, however, include some other actions that have already been adopted, such as the change in F-111 to F-16 here at Cannon Air Force Base.

The proposal to expand the German Air Force operations at Holloman is important to our country because it advances our efforts to keep our nation and vital interests safe through a strong and well-trained allied team, despite the fact that US military forces are much smaller today. Keeping this team ready requires constant realistic training now more than ever before. And central to this proposal and our ongoing mission is our responsibility to serve as good neighbors and good stewards of the environment.

Thank you for your attention. I

appreciate the opportunity to make this presentation to you tonight.

JUDGE HEUPEL: Ms. Parker will now summarize the potential impacts from the Air Force proposal and the alternatives.

MS. PARKER: This is probably the longest portion, so please bear with me. Thank you, Colonel Heupel.

This draft EIS describes the environmental impact that was associated with the implementation of the proposed action, which is to relocate 30 more German aircraft and associated personnel and support facilities to Holloman, as well as the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of our proposal, construction at Holloman to support the additional aircraft, personnel, and the programmatic needs; training in airspace throughout the region, as well as the three training options to meet the air-to-ground training requirements.

We looked at three options to satisfy the need for increased air-to-ground training. Two of these options involve new construction on McGregor Range, and the third option would increase the use of existing ranges. We also looked at the use of airspace in the

region. The Air Force has requested that the Federal Aviation Administration approve modifications to military training routes in New Mexico and southwest Texas and the Talon military operations area in New Mexico. The draft EIS examines the environmental effects of the proposed action both with and without this modified airspace. Also, as mentioned earlier, we examined the no-action alternative, which considers not implementing the proposal and, therefore, would result in no change or impact to any of the environmental analysis categories.

I will discuss the overall impact to the environment associated with implementing the proposed action, impacts to airspace use and management, environmental impacts of construction of the two new target complex options, as well as the option of using existing ranges. The existing ranges would be used under all three training options, but their use would be considerably higher under the existing range training option.

Before going into any specific impacts, I want to explain how the impacts of the proposed action were compared to environmental conditions without the proposed action. First, we described existing environmental conditions in fiscal year 1995. However, there are a number of actions that have already been

approved that will occur whether or not the additional 30 Tornados will be brought to Holloman. For example, in 1995, the 12 Tornados that are now already at Holloman had not yet arrived. Also, a squadron of AT-38s at the base were deactivated just this year, and this was not included in the conditions that prevailed in 1995. In addition, Cannon Air Force Base has changed from F-111 to F-16 aircraft, and they are using some of the same airspace as the Tornados would use.

Therefore, to provide a baseline to compare to the proposed action, we projected the environmental conditions that could be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions that would occur between 1995 and the fall of 1999, or first quarter of fiscal year 2000, when the 30 Tornados would be bedded down. The draft EIS also discusses cumulative impacts from the proposed action in combination with other reasonably foreseeable Department of Defense actions which would affect Holloman Air Force Base and the airspace and ranges in the region.

At any given time, there are a number of potential actions that could include basing of aircraft, changing admission of aircraft at a particular base, or new construction at a base that the Air Force might be

discussing or contemplating. Many never make it past the discussion stage, but some do. It's not always possible to call it reasonably foreseeable actions during the early discussion stages. As an example, the beginning of the new F-22 Raptor aircraft is well under way, but the beginning process is not yet out of the discussion stage. Therefore, including the discussion of the possibility of basing an operational unit of F-22s at Holloman Air Force Base is not necessary because it is not now reasonably foreseeable.

The Air Force is also discussing the establishment of electronic scoring sites for bomber aircraft, and if the decision were made to pursue the proposal, sites had been proposed or would be proposed to be located in the mountainous west or southwest, but the definitive criterias necessary to formulate the discussion into a proposal has not yet been developed. Therefore, its precise location is also not reasonably foreseeable, and its analysis is not included in this EIS.

Now to summarize the findings of the draft EIS in the thirteen environmental areas analyzed in the document. Tonight's briefing is an overview of the general findings, and I urge you to refer to the draft EIS for any details about the resource impacts.

The first resource area we examined is airspace use and management. Our analysis found that there would be minor impacts to civil aircraft traffic due to increased operations at Holloman, and none of the three training options under the proposed action would result in significant airspace impacts.

The noise analysis examined impacts around the Holloman airfield and in the airspace and ranges that would be used. At Holloman and surrounding areas, about 41 acres are currently exposed to day-night average sound levels of 65 decibels or more. Day-night average sound level is a measurement that averages noise from multiple events, such as a jet taking off or flying overhead, over a typical or 24 hour period. The measure adds an additional 10 decibels to events that would take place between the hours of 10:00 p.m. and 7:00 a.m. because of the increased sensitivity at night.

By October of 1999, the affected area would increase to about 42 acres due to other ongoing projects. Implementation of the proposed action would increase this to about 47 acres, a change of about 12 percent. For either the west Otero Mesa or the Tularosa Basin training option, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. In no case would

average sound levels increase by more than 6 decibels. Under the existing range training option, sound levels under affected airspace would increase negligibly at most locations, or decrease in some instances, but there are instances, such as under the Pecos military operations are near Fort Sumner, sound levels would increase by as much as 13 decibels, from their existing levels of about 45 to 46 day-night average sound level to about 57 to 59 decibels.

Except at the air-to-ground ranges themselves, none of the airspace areas, military operation areas and training routes, would have an average noise level of above 65 decibels under any of the options.

The actual sound generated by an individual overflight depends on the type of aircraft, its altitude and speed and other factors. As an example, the maximum sound level on the ground directly under a Tornado flying at 100 feet ranges from 117 to 124 decibels. At 500 feet away, which is, by regulation, the minimum distance an aircraft can be flown to a person or structure, a Tornado would generate a maximum sound level of 102 to 108 decibels.

Increased operations at Holloman Air Force Base would result in increased noise over portions of

White Sands National Monument. Other changes in overflights in affected airspace would result in negligible changes in sound levels in most locations, with no significant effect on land use. In some areas east of the McGregor Range and southwest of Artesia, particularly where airspace units overlap, there would be a noticeable increase in the number of overflights that could be annoying to residents, as well as recreationists. Under the existing range training option, areas near places like Capitan Mountains and Sumner Lake would experience higher overflight increases that could also be annoying to recreationists. However, even with the increases, the total number of overflights would remain low with any one location unlikely to be overflown more than once per day.

Construction of a new target complex at McGregor Range would result in a reduction in access to portions of Otero Mesa that are south of Highway 506 by recreational, BLM workers and ranchers. Access for livestock management, for example, would need to be scheduled around times that the complex is being used, which is estimated to be approximately 60 hours per week. Livestock grazing would be able to continue, however, even when the complex is being used. If the new target complex was constructed on western Otero Mesa, about

5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land would be removed from grazing, but access to portions of Otero Mesa would still be restricted for people while the target complex would be in use. Neither option would affect access along Highway 506 itself.

Air quality would not be specifically impacted by the proposed action. There would be temporary increases in air emissions during construction of facilities in Holloman and if the new tactical targets were built, but these emissions would not result in significant impact to air quality conditions, including visibility conditions. Aircraft emissions would also increase, but not at levels and not to affect adherence to our national ambient air quality standards.

Potential impacts to biological resources from implementing the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, loss of animals, as well as temporary disturbance from the noise.

About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman itself for construction of the facilities. In addition, an existing building that is used by bats as a roost would be demolished. Burrowing owls in the vicinity of the

present, however, would be relocated. There would be no impact to threatened or endangered species or to wetlands.

Other potential impacts would include continued disturbance of vegetation and habitat at existing ranges and continued temporary wildlife disturbance from the noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to the baseline, but the increases would be small and result in small increased potential disturbance to wildlife. Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the area of the Lincoln National Forest, Sacramento Mountains, and Gila Wilderness in New Mexico and the Apache-Sitgreaves National Forest in Arizona. Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown. Similarly, bald eagle winter concentration areas in west-central Arizona, the portion of the Rio Grande in the region around Elephant Butte Reservoir and Brantley Lake and Santa Rosa Lake along the Pecos River potentially would be overflown more frequently. The daily overflight increases would be relatively small and result in a low impact to protected species. Consultation with the US Fish and Wildlife Service has begun and will be completed

prior to use of airspace to implement the proposed action.

Impacts associated with construction and use of a new target complex on the west Otero Mesa would result in a net loss of between 500 and 1,040 acres from construction of targets, firebreaks and roads. In addition, annual redisturbance would occur during ordnance cleanup and maintenance. Use of inert ordnance and flares would increase the potential for fires within the impact area. Up to 46,000 linear feet of Waters of the US may be affected under this option. Loss of grassland and shrubland vegetation would result in a minor loss of wildlife habitat, including habitat for burrowing owl, aplomado falcon, black-tailed prairie dog and grama grass cactus habitat. Also, wildlife would probably avoid the new target complex while inert ordnance was being dropped and during cleanup and maintenance because of human presence and maintenance and noise. Increased aircraft sorties would result in more frequent overflights of wildlife on McGregor Range. For example, wintering bald eagles, nesting raptors such as the red-tailed hawks and northern harriers and bat habitat, including potential roosts along the escarpment and feeding areas and watering sources would be overflown more frequently.

Impacts associated with construction and use of a new target complex in the Tularosa Basin would include short term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before construction gets started. In addition, an annual redisturbance of about 1,040 acres would occur during ordnance cleanup and maintenance. The use of inert ordnance and flares would also increase the potential for fires under this option. About 33,240 linear feet of Waters of the US may be affected by the construction and use of this option. Loss of the grassland and shrubland and vegetation would result in a loss of wildlife habitat, including habitat for aplomado falcon and night-blooming cereus. As with the west Otero Mesa option, wildlife would probably avoid the new target complex during dropping of inert ordnance and during cleanup and maintenance because of human presence as well as the noise.

Using only existing ranges would result in slightly higher aircraft use of IR-113 and VR-176 compared to the no-action alternative. The increased use of VR-176 would result in a small increase potential for overflight of habitats of peregrine falcons, Mexican spotted owls, bald eagles, whooping cranes, and southwest willow flycatchers.

Impacts from the proposed action to cultural resources at Holloman Air Force Base, under airspace areas, or at existing ranges would be negligible. If a new target complex were constructed on west Otero Mesa, 17 sites eligible or potentially eligible for placement on a National Register of Historic Places could be impacted. If a new target were constructed at Tularosa Basin, 29 sites eligible or potentially eligible for National Register could be potentially impacted.

Water resources will not be impacted by the airspace components of the proposed action. Construction and new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any serious problems resulting from the runoff. Increased use of existing ranges would result in negligible impacts caused by runoff, and there is an increased potential for soil erosion during heavy rain. However, resulting impacts to surface waters would be minimal. Increased soil erosion and sediment transport could result from construction and operation of a target complex in the Tularosa Basin, but the impacts would be negligible. Impacts from the west Otero Mesa option would be similar. In addition, there is a chance that water resource improvements, such as pipelines,

water tanks, and pump houses, could be damaged by inert ordnance. These improvements would be relocated as necessary or repaired to ensure that the availability of water for wildlife and livestock is maintained.

There would be a 12 percent increase or approximately 13,500 pounds in hazardous waste generated per year and an increase in use of hazardous and toxic materials at Holloman Air Force Base. Hazardous materials and waste would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on the hazardous material and waste management practices. Hazardous materials and waste management are largely unaffected by airspace utilization. Munitions on existing ranges would increase, but Air Force ranges are cleared annually of scrap metal, which is disposed of through existing orders and regulations. Under any of the training options, munitions use would generate about 150,000 pounds of nonhazardous scrap metal each year. Again, since the cleanup and disposal procedures are in place to handle this waste, there would be no significant impact to the environment or hazard from this activity.

The proposed action would result in an increase of 640 military personnel at Holloman and generate about 110 construction jobs. Annual wages and

purchases in Otero County would increase by 10 percent to about $18.2 million, with the potential for other additional infrastructure improvements. There would be no significant impact to regional socioeconomic attributes, such as employment, construction, police or fire protection. Cost of construction of a new target complex on the west Otero Mesa is estimated at $4 million, and the Tularosa Basin option cost is estimated at $20 million. Airspace utilization has little effect on the socioeconomic conditions.

The only transportation impacts resulting from the proposed action would occur in the city of Alamogordo itself. Although the proposed action would result in a relatively small increase in traffic, there would be an adverse effect on traffic conditions, potentially increasing congestion on the main road going through Alamogordo.

Utility use at Holloman would increase between 6 and 13 percent under the proposed action, but the increase would be within existing levels of service. Alamogordo utility use -- water, waste water treatment, waste disposal, and electric and natural gas supply -- would increase from 3 to 6 percent. There would be no impact on the utility changes -- on utilities from changes in airspace or the range use. If a new tactical

target complex were built on west Otero Mesa, a portion of existing water lines and a stock tank may need to be relocated. The other training options would have no effect on utilities.

Construction at Holloman Air Force Base and Red Rio and Oscura impact areas at White Sands Missile Range could affect soils, but because of the present condition of these areas, the impact would be minor. Increased live munitions drops at Red Rio could increase vegetation loss and potential for soil erosion. While increased use of live ordnance at Red Rio could result in increased contamination from uncombusted explosives, past use was found to have caused negligible soil contamination. If the Tularosa Basin new target complex were constructed, virtually 100 percent of the 5,120-acre impact area would be heavily impacted; that is, all vegetation would be removed in order to clean up existing unexploded ordnance. If the west Otero Mesa target complex were constructed, approximately 20 percent, or about 1,040 acres, of the vegetation would be removed. Soil conditions would be unaffected by airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in the risk of aircraft mishaps and bird-

aircraft strike if the proposed actions were implemented. Although munitions use and handling would increase over the current conditions, range operating procedures are already in place to ensure safe operations, so no significant impact is expected under any of the training options. There is potential for increased fire risk if one of the new target complex alternatives is selected.

The effects of this proposed action, along with other actions which have been recently implemented, such as the 12 Tornados that were brought to Holloman last year, and actions which would be implemented in the reasonably foreseeable future, such as the change of the F-16s at Cannon Air Force Base, were addressed in the draft EIS cumulative impact analysis. A comparison was made between conditions as they prevailed for fiscal year 1995 and those that are projected for fiscal year 2000 under the proposed action. For most resources, no significant cumulative impacts would occur following expansion of the German Air Force operations at Holloman Air Force Base. These resources include airspace management; air quality; archeological, culture and historical resources; water resources; hazardous material and waste management; safety; utilities; transportation; and soils. In most cases, cumulative impacts would be related to increases in aircraft operations and

associated noise, which could affect land uses and biological resources. Other activities, such as timber harvesting and grazing, could add to habitat impacts, although the impacts would be minor. Other projects in Alamogordo could also affect employment and economic activities in the area.

To summarize, the environmental impacts from the proposed action, most locations would receive negligible impact to the environment. Areas that are projected to be most affected, if the proposed action goes forward, are areas near Alamogordo because of the increases in employment, population, traffic and aircraft operations at the base; areas near Carrizozo because of an increase in nearby overflights; areas west of Truth or Consequences, in which threatened and endangered species, such as the bald eagle and Mexican spotted owl, could be disturbed by the increase in potential overflights; the Fort Sumner area because of the potential increase in nearby overflights if there is an increase in the use of Melrose Range; near Dell City because of the increase in nearby overflights; and the Alpine/Marfa/Fort Davis area could experience increased nearby overflights if expansion of the German Air Force operations is approved. Thank you for your interest and your attention.

JUDGE HEUPEL: At this point, I will

entertain any questions that may clarify what a speaker said. And I believe it's Ms. West, you had asked a question, and I think they are going to have to get the nautical charts out and take a look at that at the break for where you were talking about, and I will just ask Colonel Hargarten to summarize that when we come back on before we actually start the comment period.

But are there any other questions with regard to what one of the speakers talked about? If somebody has a question to clarify what they said, I will entertain that now and have you come up to the microphone. Otherwise, if you've got some general questions, as far as the EIS or the proposal that you want to make comments, we will entertain those in the comment section, and those will be addressed in the final EIS. Is it Mr. Elliott?

MR. ELLIOTT: Yes.

JUDGE HEUPEL: If you've got some clarifying questions, come on up to the microphone, please, so that everybody can hear.

MR. ELLIOTT: I've got several questions. I don't know whether they are excluded from your comment or excluded from the draft portion of the EIS, but we're getting a lot of sonic booms. I have been trying to log them down in a little pocket organizer. A week ago we

had two the very same day a week apart. My neighbor over here flies. I used to fly. But we were always taught that sonic booms were supposed to be restricted for across waters or some other places out, not over our houses, continuously. I don't know whether you got sonic booms to address in this statement or save it for later, but --

JUDGE HEUPEL: Well, actually, let me put it this way. As far as the Tornado, we can cover it with the Tornados, should they be involved in any sonic booms.

LT. COLONEL HARGARTEN: The Tornado will not only do their supersonic flying on a test mission, and there's very few of those a year, and they will all be done in White Sands Missile Range, so you shouldn't be hearing those over here, the Tornados.

JUDGE HEUPEL: As far as what you're getting now, if you want to expand on that during your comment section, that would be fine, but to clarify what she said, it would really be what the Tornados are supposed to do.

MS. PARKER: I would also propose that there would be an additional 24 supersonic --

JUDGE HEUPEL: Additional 24 supersonic what?

MS. PARKER: Tornado sorties all occurring on White Sands Missile Range.

MR. ELLIOTT: Have a Freudian slip there? Is Melrose Range closer to Fort Sumner than it is to Clovis? FS-1

MS. PARKER: White Sands Missile Range.

MR. ELLIOTT: There you go. VR-1198/1107, which goes right over the top of my house, was not addressed in the EIS changes. We were told there would be fewer sorties in the environmental assessments and there are going to be more. Are you-all planning on using the Taco Guard VR Route or 100 foot AGL route?

JUDGE HEUPEL: Colonel Hargarten?

LT. COL. HARGARTEN: All of this is in -- all of the low levels that we are going to be using are addressed in the EIS, and the numbers you've just said, the ones they are going to use, VR-100 and 125, IR-113 are the low levels that are near here and also further over to the west are the IR-133 also.

MR. ELLIOTT: I'm approximately about 125 and 100. The 100 was not depicted on the map.

LT. COL. HARGARTEN: Well, 100 is just the opposite of 125, so when I say 125 what happens is some of the routes, they have two different numbers. For example, there is another IR-2 -- and 141 is the same

route, one as you are flying clockwise and one counterclockwise.

MR. ELLIOTT: And I don't know how you want to go here or not, the assumptions by the FAA and United States Air Force is what's really concerning me.

JUDGE HEUPEL: I would rather hold that for your comment section, sir. Are there any other clarifying questions at this juncture?

JUDGE HEUPEL: Ms. West?

MS. WEST: I would like to ask one question about, you are talking about the decibels. Can you compare the Tornado to the F-16 noise level, please?

MS. PARKER: Actually, in the EIS there is a chart that gives both the F-16 and Tornado levels, Chapter --

JUDGE HEUPEL: Is that about C-5? Do you recall from last time?

MS. PARKER: C-5, C-9, and during the break, I will let you take a look at it.

JUDGE HEUPEL: Why don't we take a ten-minute comfort break, give the court reporter a little bit of a rest as well, and then we'll come back in for the comment portion. I know we've got a couple of people that came in right after we started. If you would like to make comments and haven't already indicated on

the silent card that you would like to speak, go ahead and check that back at the registration table. And if any of you that came in did not indicate you wanted to speak and now would like to speak, you are welcome to change that as well. We will break for about ten minutes.

(Recess taken.)

JUDGE HEUPEL: Ladies and gentlemen, we will go ahead and start the comment portion. I will recognize each person, and what I'm going to do, I've got four cards here, and I'm going to shuffle them and take them in random order so each person has an equal opportunity to be first or last. I'm going to ask you to come up to the microphone and speak to that and address your remarks to me as the Hearing Officer. I'm just going to ask that you exercise a reasonable time limit on this. I will give you obviously a sufficient opportunity to speak, but I'm not go going to limit it to five minutes, which is what we've normally done, but ask you to keep it reasonable so we can get everybody in tonight.

And the last thing is, we can only have one person speaking at a time. And so while someone is speaking, I ask other people not to speak. If you have questions that are part of the comments you have, they

won't be answered, actually, here, but they will be answered in the record itself. There are a number of different experts that have to take a look to provide a good answer, and those will be addressed, if you have such questions, in their final EIS. Okay, as I shuffle the cards. The first speaker -- I'm sorry, yes, thank you. Colonel Hargarten, you were going to summarize the answer for Ms. West.

LT. COL. HARGARTEN: We clarified at the break Fort Sumner does sit under Pecos MOA, but -- next slide -- this 100 nautical mile ring we have in the charts just to orient us in the map, the question was, does Fort Sumner sit inside that. The answer is no, it does not because it is up here outside the 100 nautical mile range.

JUDGE HEUPEL: Thank you, Colonel Hargarten. And the first speaker would be Mr. Elliott.

MR. ELLIOTT: My name is A. S. Elliott. E-l-l-i-o-t-t, and I've got a box over there that represents 17 years of trying to be good neighbors with the United States Air Force. I'm disturbed with the attitude that the Air Forces takes. I am disturbed with the FAA, that they just pass it off. And it's almost verbatim, but using all of these documents, "it's a sparsely populated, prime agricultural producing area.

The disturbance is going to be minimal."

I've filed three claims for the last three years for actual, verifiable damage to my livestock and ranch facilities. Dealing with -- I don't know if you know Major Eugene Kirchbaum, I wrote him a nine page chronology explaining my first claim three years ago involving F-111s. Trying to deal with you guys is trying to deal with a very difficult organization. Trying to explain what we have suffered continuously for three days and three nights, and that I may not be able to go with my family to a Christmas Eve program in El Paso, Texas, back in '94, I believe it was because I was having to get up every morning and chase my livestock in the back fields. This you do not pay in your claims. All you pay for is the fence posts, some spools of tying wire and time, but it's ongoing. It's continuous.

What we were told in the environmental assessment when the transition took place from the F-111s to F-116s is, "Sorties are going to be fewer. Flights are going to be higher." We get the final document, it's just the reverse. It's just the opposite. My house lies right underneath "Taco Guard" New Mexico Air National 155th Group, originated 165. It's now 1100/1107. All of a sudden it was there. The environmental assessment supposedly or purportedly under NEPA was 193 sorties by

Air Force, Marine, Navy jets -- 100 foot right over the top of my house. Here's a picture of an A-7 that is well below 100 AGL, but we were subjected to this, and I can ask my neighbor to verify. Also, we are on horseback, in our feed truck and moving cattle, and these sorts of things continue to happen.

Back to the notes. I appreciate having the opportunity this year to be able to comment and provide written commentary because in 1990, for some maybe definite reason, Fort Sumner and De Baca County were excluded from the news releases. But then I had a 1987 agreement with the Air Force that they weren't going to -- that you weren't going to fly over my ranch. When I left to move my family back, I didn't sell the ranch, I didn't sell the house, I didn't sell my cattle, but you-all just rescinded the agreement. I can feel sympathy with the Indians on the broken treaty promises. 17 years of trying to work with you guys, going through it, the dog and pony shows, and jumping through the hoops, again for two of the last three claims, two of the last three years. I called and told them my plans. We have to tell the United States Air Force what we are going to do on our ranch to ask for nondisturbance. They told me there was no one in the office. I left a message, and then it was transferred to the Public Affairs office again

subsequently.

The irony of this, you didn't want to get into politics while the German Air Force Base is here, but those people that used to ranch on White Sands after 55 years have never been compensated for the taking of their ranch property, their federal permits, their forest permits, their BLM, as well as their years. One of the reasons for that taking was, again, the German Army and Air Force, and they have yet to be compensated.

Again, the assumptions were from the FAA. When was the FAA ever out here? I talked to one guy at Langley headquarters several years ago. I held my phone. up to the window. The B-1-Bs, B-52s, F-16s and F-111s at Holloman were having a little dogfight outside my window, and I said, "How can you stand that assumption made by the FAA that disturbance is going to be minimal back when I had a noise documents back on 1198/1107?" They didn't have any flights for a 100 feet; I think their lowest was for 200. But averaging out this decibels in a 24-hour period, when you sit underneath F-16s, F-15s, F-4s, F-16s F-111s and occasionally a B-52 and B-1-B, you experience the noise, and it's not just a fleeting, passing moment, 10, 15 minutes, sometimes, and it goes off a little bit and here they come back again.

What about Reese? Reese is history now?

S-2

Are you planning on using any Reese MOA or airspace? There's no mention of it in any of your flight rules, FAA, 500 foot separation laterally, particularly when these boys, especially the Taco Guard, under low level routes, they can't see us at 100 feet. So they sit there and conflict that they are supposed to be 500 feet above us and above our houses and above our person, but they don't see us. Isn't there a conflict there? That wasn't a 100 foot route that they can do or should do. There's numerous documents that they didn't see us. Well, you are supposed to see us, visual flight route. Continuous abuse of that, the claims. Again, a lot of times airspace doesn't allow aircraft to be in that space. So bottom-line summation, "We know nothing about it. It didn't happen. We weren't there. Can't do anything about that." I have had that happen several times.

Again, I just -- I have had a history of trying to work these things out and speaking with you people and filing papers and working with congressmen, but it falls on deaf ears or you explain it away. Two, three months ago, I asked why an F-111 came over the house. The explanation was they split the NSA two ways and used the Santa Fe/Burlington Northern Railroad Track as a reference point. It had nothing to do with the verification of their altitude above the top of the

house. But again, I know all of you. I guess we are all adults. I know CYA, all your boys know CYA, to diffuse and compromise our position and, again, our rights are being reduced and compromised, because you-all don't have 100 foot low level routes over Albuquerque. When they changed north, west, south a while back, photo and news cameras went around town. But then why are our rights being compromised down here? Again, with the assumption by the FAA, "Well, there's a few people out there."

We tried to get along. We tried to work with this and do the dog and pony show, go over to Cannon and do all their presentations, conflicts. Again, with the Gulf War, the first few days, the first few areas, aircraft were launched at a low-level target area. You-all figured out it was better to stay up here, drop those SMRT bombs from up here. Why do we need 100 low-level foot routes over the top of our houses? That's all I wrote down.

FS-3

And I plan to address a written comment on this, and you will probably have some verification from documents, the conflicts that arise, and the explanation and the extra effort that we have to do and hang a camera around our necks to verify what we see. If you like to see, I will show you this while up here, but these are the things that we are subjected to.

(Photos to Judge Heupel.)

JUDGE HEUPEL: Let me ask you, sir. Do you want to keep those, or do you want to submit those for the record, or do you have -- do you have copies you can make and send?

MR. ELLIOTT: I will make some copies for you, but just for your point of reference there, those are A-7s, and no they are not flying anymore, and all I have got is history. But I have been told promises from one meeting to the next, "These things are not going to happen," yet they continue to happen. Thank you.

JUDGE HEUPEL: Thank you, sir. This one right here. Leona West?

MS. WEST: I was hoping I would be -- well, first off, I want to say we are as patriotic as anybody. We are very proud of our Air Force, all our military people, and we have tried to assure all of them we are not the enemy, either, though. We have had problems. Jake and I raise ostriches here in the valley, and we have been having trouble with Cannon Air Force Base. We lost about 145 to 150 little birds last year due to stress. We lost three of our main breeder birds. They panic and run into the buildings and fences and break their necks. The other birds tore down fences. We had to replace nearly all of our fences this year,

windows, and there was a whole lot of damage. This was from the F-16s. And we had contacted the Air Force base a number of times.

I know we are on their map with their little red marker, and we have talked to them many times, and we are invited over to an air show that they had, so I was particularly paying attention to the F-111 and F-16 which Cannon had. And then when we met with the colonel a little later, we told them the F-16s are a lot louder than the F-111, and they said they didn't hardly believe that. They said those F-111s are loud, and I said, "Yes, they are loud, but it's a different sound. It's a different pitch. When most planes go by, they make a puff sound and they are gone, but with these F-16s," I said, "that sound just goes on and on and on, as my husband probably mentioned many times, for 16 seconds, I don't know how far, but about the time you think it's gone, then it turns around and comes back." We have had had the F-16s dogfight over our pens, our ostriches were kept in. We saw them over the pens one day. That was the day we lost our breeder birds, and like I said, then come down fences and busted windows out of buildings and everything.

FS-4

We have gone -- my husband and I are both native New Mexicans. We have had opportunities to go

other places, but we like the lifestyle here. We like a quiet lifestyle. I like being able to wake up in the morning and hear the birds and different things, and it seems like the noise pollution is getting worse and worse and worse, because every time they come up with a new plane, these things are louder and louder and louder, and there's more planes. Now we know our boys need training. We want them to be the best trained in the world, but I don't think we need to train other people from overseas. We have enough airplanes here in the state of New Mexico. Now we are inundated with noise from planes at all times.

We again had talked to Cannon and Reese Air Force Base. I guess Tex didn't know this, but the colonel told us that they were applying for the already established airspace that Reese had had, and I think that's the reason why they have not been flying over here as often as they used to, so we were real proud of that, you know. We have been doing a lot better with our little birds so far, but the last two days have been kind of bad flying low.

We are down in the valley where our house is located. It's where they call the keyhole. It's lined up with the air base, and they have to fly at least 1,500 feet there, but where our birds are at is a little

farther, a few miles from us, just on the edge of the valley, they fly at 500 feet, and we know those planes come across and they are using the valley marker at 500 feet.

Well, when they get to the edge, they are not going to do this abrupt turn and move 500 feet where we are standing up there, and I have seen them go across myself where I could see the heads of the pilots very, very plain, so that's pretty low. And this is -- it's the noise is the main objection that we have. When you are doing all of these environmental impact studies, do they do studies on what damage does to people? Do they do studies on what this does to domestic animals? You know, these are things that need to be addressed. I think we are certainly the majority, not the Mexican owl and these other things they seem to be so concerned about.

FS-5

And this is, like I said, if there was just some way to do away with the noise, there wouldn't be so much objection to so many planes flying, but we have been so happy that we have had fewer flights over and now you are talking about bringing in the Germans. I'm old enough that my dad's generation and our generations, we remember we had to fight these people, and I'm not real thrilled about them being over here on a

permanent basis, myself, and maybe I'm old fashioned, but that's just the way I feel. I'm sorry. Thank you very much.

JUDGE HEUPEL: Thank you, ma'am. The next speaker would be Jake West.

MR. WEST: Well, she told you a lot of it, of course. I just don't know why we need those Germans over here. I had a brother that fought World War II, was going to Normandy all the way to meeting the Russians in, oh, Austria, and lots of his buddies, we lost lots of boys from Fort Sumner over there fighting them Germans. And I lost a brother that was in the Air Force in World War II, and he went down with a B-25 in India, the 13 Air Force.

We are real proud of all of our servicemen. I had a brother wounded in the Marine Corp in World War II in Iwo Jima and Okinawa, but I don't -- I can't see any benefit to this to us. Let the Germans fly our planes in Germany. They can be trained over there. I don't trust them, and I don't like those Jap's today because they killed -- my brother was killed on account of them bombing Pearl Harbor. Of course, I was still in school, so my mother wouldn't sign, being three of us was over there fighting.

I had five nephews serve in Vietnam. So I

realize that we have to have the best Air Force in the world to stay free, so I don't see training the enemy. But this noise is every -- it wasn't 16 seconds, it was 60 seconds coming over our house and knocked -- this one really hurt. They knocked down the concrete where our house was, where our fences were, and here, three or four months later on October the 16th, they scheduled these exercises knowing we was right there and did all kinds of flights over our fences after we talked to them.

They told us, "You can turn in the claims." And I said, "We are not that kind of people. We've always dealt with looking you in the eye and discussing it, and regardless of 500 feet or 1,500 feet, it it's wrong, it's wrong, and change it."

It's been better this year than it had been, but ostrich had no research, but they react. They are a very nervous type of bird. They are good to eat. The boots are good to wear. We raised food here in this valley for the last 80 years. I think food is pretty important. Go with without two or three days, if you don't think it is. But the ostrich is a very good meat, and very little fat, very little cholesterol, and there's quite a challenge.

FS-6

Our oldest son took an interest to that, and he had a master degree from Oregon State University

in genetics, and that's all he's ever been interested in, and that's the only reason that we got into this thing. Of course we have invested everything that -- our life's savings, and my brother that was -- he was graduated from Annapolis, spent 31 years in the Navy, he was on submarines, and he was one of the chiefs of staff for several years before he retired. But we will support the military. We don't want to do anything.

We haven't turned in a claim, but we should because we really took a whipping last year. So far we're doing better this year, and we learned some things, but there's no research. Nobody knows that much about the ostrich. So that's -- I think I've said too much already, thank you.

JUDGE HEUPEL: Thank you, sir. And the last speaker I have would be Paul Horney, I believe.

MR. HORNEY: Thank you, sir. Thank you for the opportunity to come. I didn't come tonight to talk. I hate to -- I hate confrontations, but -- and the three speakers that spoke before me, all three have said a piece of something I wanted to say. But I have lived here for 50 years and my father before me and my grandfather before that, and I raised my family there because we liked the environment.

We don't have the military background that

Jake and his family have, but we're, I think, supporting the military. The problem I have with the military, you were talking a while ago about wanting to be good neighbors. Well, your brothers at Cannon are not good neighbors. We -- I don't know. It seems like the integrity falls down when we see something, we call, and they don't have enough respect for us to call us back and acknowledge what's going on.

We had a flight of 20 -- 22 F-111s come over the ranch one day less than 1,000 feet. They did not acknowledge it for six weeks or so, and finally they come back and said, "You're right. They were there." We had eyewitnesses. We had eyewitnesses of an F-15 and F-111 dogfighting right over the top of our heads. That never was acknowledged. But the question I guess I have is, is there ways, if we do this, if we have to put up with this, are there ways to monitor to make sure of what they are doing? There seems to be some discretion of what -- I don't know -- Cannon or whoever it is knows, and what's actually going on out in the field. I think somebody's not telling about everything.

A second concern I have is, as a private pilot, flying into Fort Sumner and out of Fort Sumner or across New Mexico, just about any direction you go, you are going in a -- we had children that went to New Mexico

State University. We like to go down and visit with them and when we flew, you have to go halfway around the world. You can't cross White Sands Missile Range, even though they were very courteous and let us go across the south end of it. If that's the case now, I don't believe we would get -- we would be able to go down there that way. We would have to go around and cross the north end of the ranch and then maybe not even down the west side. I'm not sure if that branches at T or C. I used to go that way a lot when I fly because of the MOA and different areas. I fly to Arkansas a lot, so I go through a lot of MOAs, and I didn't know what you call them now. Out here in New Mexico at the altitude I flew, you don't get radar. I don't know how these guys in F-16s, as low as they fly, how they can have radar. So what's the possibility of confrontation there? I would -- like I said, I didn't come to talk, so I'm not really prepared, but I would like to see a little more -- I don't know -- I guess, integrity, to where it keeps around, but I think we do have legitimate complaints that are not ever answered.

I haven't filed a claim, and I've filed some complaints, some noise complaints lately, but for a long time we just kind of put up with it, and it worries me that the Air Force seems to be grabbing more and

more. It's -- we kind of get used to one thing, and all of a sudden, they are here wanting to do something else. The ranchers over around the bombing range in Melrose, all of a sudden they were told they were going to sell their ranches and then we are next in line. We are getting run over, and it's a concern, it seems like.

And if I was a merchant, I guess I would be thrilled to death with this thing. We have a friend that's a merchant in Albuquerque, and it's going to help him, but we don't receive any financial gains from putting up with the noise. The biggest noise they have, I suppose, is their cash register going off, but we put up with it for nothing, and it's just day and night. A lot of times when they are having maneuvers, they are running all night long. The noise level, you know, you talk about for a few seconds, but when they come out of your house in four or five turns and then turn you up, you are in that noise for a long, long time. It's not just noise, it shakes the ground. It shakes the house.

We had a case of our grandchildren being here a couple of weeks, and as one of them would be over here, they come through the house just wide-eyed and screaming. I am a plane lover. I love planes. I own two of them, but I think, you know, we just have them -- we just need to get together and look this deal over, try

to do something. It's not working the way it is. I guess that's all I've got to say.

MS. HORNEY: Talk about the scrambling.

MR. HORNEY: We have a satellite system. We have our TV offer on, and when they come through, we lose all the TV. It's like a sunspot in a certain time. We just lose it. It's just static. It's the same thing after the F-111s. I think the E model come over, but it affects our electronics in the house.

JUDGE HEUPEL: How long do you lose the signal for?

MR. HORNEY: About a minute before they gets to us, and as soon as they get back by, it's on again. I don't know whether it's F-16s, but you can always bet there's a plane coming when all of a sudden you lose your signal. I guess it's not a big deal, but it's an aggravation. I know the day and night business, it gets pretty old sometimes, and they are -- they make a lot of noise. Thank you very much.

JUDGE HEUPEL: Thank you, sir. I don't have any other cards. Mr. Elliott, do you have something more?

MR. ELLIOTT: Unless someone else would like to speak.

JUDGE HEUPEL: I'm going to come back to

everybody else, and there are only two other people that haven't spoken, so go ahead, sir.

MR. ELLIOTT: With regard to the television, I had Cannon and all their environment people come over to my house. It's been two months ago. I took some pictures I took off my TV, and this verifies findings of why F-111 and F-16s were disturbing my television reception. I have the old fashioned antenna, and it's gone away with turbulence and New Mexico winds. It's in pretty poor condition, but still, I took a sequence of pictures with a Polaroid camera showing -- and I have got them there in the box -- but the finding was the signal from Roswell was being disturbed by a large metal object in the air.

Now, over here just south of town, the Vaughan Ranch, where you've got one of these called by different name but the mock Sam sites -- I have lost the words right now -- but he has a dish antenna, too, and it overrides his reception completely, back out, back on. Some history, I have only been a New Mexico landowner for 36 years. I don't go as far as back as these natives, but we would like to sit down on our porch at night, too, and enjoy the peace and quiet, which, after we have got all of these -- what's the name of them sites? We have got seven of them in De Baca County. Anyway -- but it

happens from sundown to sometimes 11, 12:00 at night.

Back on the history, and some of you guys may not be old enough, but my grandfather ranched south of Laredo Air Force Base, which closed down a long while back there along WW II. My grandfather, at the onset of WW II, the last big war, had to move his ranch headquarters about ten miles further east because of the proximity of New Mexico's defense boundaries. We continue to this day to pick up 50 caliber brass from the WW II gunnery range.

We are proud Americans. My brother served in the Navy. I was a commissioned officer in Viet Nam. I have learned to judge distance and height disturbance and all this other. We don't have anything against the military objective. It's just that it's getting worse on the takes and condemnation of our lifestyle and our property and our operations for your need to fly lower, faster and more often, and I would suggest, and I would request that to be included, of course, in your draft of the history, but seek out complaints of Holloman Air Force Base, Cannon Air Force Base's Public Affairs Office, the amount of claims, the amount of complaints. All of these assumptions put out in these documents made by FAA and the Air Force and these people that are preparing the documents, I have never seen one of them.

FS-7

No one has ever called me. No one has ever come out here and said, "Hey, does this disturb you?" And I suggested, all the way up to the Pentagon, two, three stars up. The Pentagon had deaf ears. We are getting the short end of the stick, and like Jake said, I think we need some relief.

JUDGE HEUPEL: Okay, thank you, sir. Now, let me ask, is there anybody who has not spoken who would like to speak now? And I know there are only, I think, three people in that -- that category. Is there anybody else that wants to speak?

(No response.)

JUDGE HEUPEL: I guess not. Is there anybody else that has spoken that has anything else that they want to add at this point?

(No response.)

JUDGE HEUPEL: Apparently not. Well, as Mr. Elliott was indicating, you're welcome to send in additional statements. There is, at the bottom of this white comment sheet, the address at Langley or it's on the blue sheets, the address of Langley to send any additional comments to. I would also point out that on at least one of the blue fact sheets, I'm looking at the one that has the list of where the draft EIS are at, that does have the phone number for the Holloman Air Force

Base Public Affairs Office on it. If you need to get into contact with someone because of noise problems or overflights, there's a number for you to call for contact. I want to thank you for coming out. I want to thank you for your comments.. That's the reason we're here, and we do appreciate getting your comments very much. With that, I will call the hearing in adjournment.

(Hearing adjourned 8:06 p.m.)

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

I, IRENE DELGADO, New Mexico CCR 253, DO HEREBY CERTIFY that I did report in stenographic shorthand the foregoing proceeding as set forth herein; that the foregoing pages are a true and correct transcript of my stenographic notes and were reduced to typewritten transcript through Computer-Aided Transcription.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties or attorneys in this case, and that I have no interest in the final disposition of this case in any court; that on the date I reported these proceedings, I was a New Mexico Certified Court Reporter.

IRENE DELGADO, NM CCR 253
Notary Public Expires: 5-1-96

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Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

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E. DALE HARNER	301 CACTUS DR.	CLOVIS NM 88101
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SECTION 5.0

CARRIZOZO, NEW MEXICO
PUBLIC HEARING TRANSCRIPT

JULY 11, 1997

STATE OF NEW MEXICO COUNTY OF LINCOLN

IN THE MATTER OF THE PUBLIC HEARING ON)
DRAFT EIS FOR THE PROPOSED EXPANSION)
OF GERMAN AIR FORCE OPERATIONS AT)
HOLLOMAN AIR FORCE BASE, NEW MEXICO)

TRANSCRIPT OF PROCEEDINGS

July 11, 1997

COPY

BE IT REMEMBERED that on July 11, 1997, at 6:00 PM at the LINCOLN COUNTY COURTHOUSE, 300 Central Avenue, Carrizozo, New Mexico, a public meeting was held before the HONORABLE JUDGE JAMES HEUPEL and the following transcript was produced by R. JAN WIMBERLY, a Court Reporter and Notary Public within and for the State of New Mexico.

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JUDGE HEUPEL: Good evening ladies and gentlemen. Thank you for coming out tonight. This is the public hearing on the draft environment impact statement, or draft EIS, as we'll refer to it throughout the night, for the proposed expansion of German Air Force Operations at Holloman Air Force Base, New Mexico. I'm Colonel Jim Heupel and I'll be the presiding officer for tonight's meeting.

Before any decision to expand the current German Air Force presence at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an environmental impact statement before the Secretary of the Air Force makes any decisions.

Now part of the process involves receiving public comment on the draft EIS, which was written over the past year following the scoping meetings last summer. At the scoping meetings, the Air Force asked for public input on the scope or the range of issues that should be studied in this EIS. This part of the process enabled the Air Force to learn about any issues involving the expansion of German Air Force Operations at Holloman that were not previously identified.

The relevant comments gathered during scoping are included in the environmental analysis. This analysis is contained in the draft EIS, the contents of which are the

subject of tonight's hearing. Now the draft EIS, and I'm holding up a copy of the draft EIS, it has been distributed for public review and comment. Based upon input received during the 45-day comment period, additional analyses will be evaluated and/or performed, and changes will be made to the EIS as necessary.

If you've not had an opportunity to read the draft EIS before tonight's meeting, you're encouraged to do so as soon as possible. I also understand that a copy was not sent to a library here in Carrizozo, and I believe arrangements have been made to leave a copy of the draft EIS here. Is that correct?

LT. COL. HARGARTEN: We will leave one here at the courthouse, is that okay?

A VOICE: We do have it, I have it.

JUDGE HEUPEL: Well, I was thinking specifically of libraries, because there is a sheet out in back that lists the libraries that it was sent to and Carrizozo Public Library's not listed on here and so that was our concern.

VOICES: We don't have one.

JUDGE HEUPEL: You don't have one? That's why it wasn't sent to the library. We just wanted to make sure that there was a copy that was available for the public. I'm sure some of you received your own copies, but if other people didn't have copies, that there was a copy available. And so

was that sent to the courthouse?

A VOICE: Yes.

JUDGE HEUPEL: So that's where it would be available, would be at the courthouse. Thank you, ma'am. Now in addition to reviewing that, there are some fact sheets, and I'm holding these up, these are seven sheets, 14 pages in all, that contain a summary of the parts of the environmental impact statement. Also presenters will provide a summarization of the environmental impacts in the EIS.

Let me just indicate that these fact sheets will be made a part of the record itself, since they're being handed out to you here tonight, I'm insisting that they become a part of the record. As well as copies of the display boards out there, these will be part of the record, so that if there is any concern about any information in here, this is all part of the formal record.

Now there are two goals tonight. The first is to provide information to you about the analyses of potential impacts to the environment resulting from the Air Force's proposal. And the second is to receive your comments on the analyses. This will help the Air Force address all concerns about the proposed action, because comments received during the comment period, the comment period started on June 20th and it runs until August 4th of this year, any comments received during this period will be responded to in the final

environmental impact statement.

Let me just add that any comments need to be received at Langley Air Force Base by the 4th of August, in order to ensure that they will be addressed in the final EIS. And that address is located at the bottom of the comment sheet that some of you may have picked up. I know it's also on some of the fact sheets.

Before introducing the members of the panel, I'd like to explain my role in the hearing tonight. I'm the chief trial judge for the Air Force. I primarily preside over military criminal cases, so I don't have any involvement with this environmental impact statement. I'm not an expert on it, I haven't been involved with its development and I'm not here to act as a legal representative to the Air Force personnel who will address the proposed action. My purpose is to ensure that we have a fair, orderly hearing and that everybody who wishes to speak has an opportunity to speak.

Now let me introduce the members of the panel. The three Air Force representatives who are going to be presenting the proposal and the environmental impacts, first would be Lieutenant Colonel Don Hargarten, Ms. Sheryl Parker and Mr. Bob Johnson.

Now Colonel Hargarten is the assistant deputy commander for the 49th Operations Group at Holloman. I think these people, or at least most of these people were here for

the scoping meeting last summer, so I think some of you already are familiar with them.

Mr. Bob Johnson is from the environmental office at Holloman Air Force Base. And Ms. Sheryl Parker is from the environmental office at Air Combat Command's Headquarters at Langley Air Force Base, Virginia.

Now we also have with us a court reporter, Ms. Jan Wimberly, to my left, who is recording verbatim the proceedings, so that these can be transcribed and she will be doing this both for our presentation, as well as the presentation that you provide, and oral comments.

The schedule for this evening's hearing will be, first Mr. Johnson will speak for a few moments, giving you a short summary of the environmental process and what you can do to provide input on what goes into the final EIS. Then Colonel Hargarten will present information on the proposal and the three options the Air Force is looking at, in order to facilitate increased German Air Force Operations at Holloman. Finally, Ms. Parker will review the analysis of the potential impacts to the environment from the proposed action and training option locations.

Now following these presentations, we'll have a short period for clarifying questions. These questions are to clarify what they have presented. If there's something that they said that you didn't understand, then we'll try to clarify

them. They're not clarifying questions over the entire environmental impact statement, they're just over what they have presented themselves.

After that we'll take a break. When we come back from the break if we have any public officials speaking on behalf of their constituency, I'll invite them to speak first, followed by the public. I'll take speakers in random order. At this juncture the speaking would be for five minutes per speaker. However, if I only have a handful of speakers, then I'm going to enlarge that time frame and we'll go for a longer period. It's just going to kind of depend upon how many speakers that we have that are wanting to speak, as to what kind of a time limit there might need to be.

Now, how do you speak? When you came in, there was a card asking you if you wanted to speak, to check the block at the bottom, you could check if you wanted a copy of the final environmental impact statement. If you decide after the presentation that you would like to speak and you hadn't indicated that earlier, just during the break go back to the registration table and tell them you want to speak and they'll get out your card and check that you want to speak and they'll get it to me, so that I can call on you.

We are interested in your comments, your comments are important. This is the fifth of six hearings that we've conducted. We've had a number of people speaking to us at all

the different hearing sites and I really solicit your comments, because it's only by getting your comments, whether your comments be here tonight orally, or if you want to turn in written comments here tonight using this comment sheet or using prepared comments, that's fine, or you can send in these comments either on this sheet or as many pages as you want, sending them in by the 4th of August, but your comments are important. So you can use any of those three ways or you can use all of three ways to comment and we do solicit your comments.

At this time Mr. Johnson will tell us about the EIS process and schedule, Mr. Johnson.

MR. JOHNSON: Good evening. My name is Bob Johnson, I work in the environmental flight at Holloman Air Force Base and during the next few minutes I will be providing you with some general information about the act which serves as the basis for these hearings, what we intend to accomplish, what's involved in the process and what your role is in the process. I'll also go over the schedule as it relates to the proposed action that we are evaluating.

NEPA, which was enacted in 1969, requires that before we, a federal agency, do something, we must analyze and document the environmental impact of that something before we proceed with the proposed action.

The NEPA document is meant to provide a clear,

unbiased discussion of any potential environmental impacts relevant to the proposed action and alternatives. This analysis is intended to serve as a clear basis for choice and should avoid lengthy discussion of issues not relevant to the proposed action.

This leads me to a key statement in the NEPA regulations. It is found in the purpose section and I want to quote it. "Ultimately of course, it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent action."

Everything the Air Force has done up until now, and will do with this document, and everything we do here tonight, points towards the day when the decision maker signs the Record of Decision. Our responsibilities as employees of a federal agency is to ensure a full and objective environmental impact analysis is performed for all components of this proposed action.

Is the EIS the only factor the decision maker takes into consideration? No. He or she must also consider technical design issues, as well as the monetary costs. Other facts that could be taken into consideration include values of the local public, as well as input from elected officials.

Once the decision is made, is the Air Force committed to implement the selected action? No. The final action in the

NEPA process is the Record of Decision. And it is just that, a decision. If the decision is made to bed down the additional 30 aircraft and build the needed facilities, other constraints may cancel the proposal. The Air Force would not be legally obligated under NEPA to implement the selected action.

In other words, to use a phrase our team has heard a lot related to this and other proposals, this is not a done deal. It is far from it and possibly may never become a done deal. The only decision made thus far has been to proceed with the environmental impact analysis. The decision of whether or not to do the something and how to do it won't be made until the analysis is complete, hopefully this December.

I said I would tell you how you can be involved in the process. And the Judge earlier told you what specific methods can be used to provide your comments. The primary thing you can do is ensure your comment is relative to the issues at hand. We're here to receive comments on the draft environmental impact statement. We are looking for feedback on environmental issues you might feel were not adequately addressed or not addressed at all.

Maybe you're a member of the Audubon Society and are aware of an endangered species in the region we failed to address. Or maybe one portion of a discussion in the document was very confusing to you and you want to offer some suggestions on how we can make the explanation clearer. These

types of comments are helpful to us and will be taken into consideration as we continue our analysis.

We won't, however, enter into a debate with anyone about the Air Force's policy on training or issues related to NATO alliances. If you have questions along these lines, I would refer you to the draft EIS, Chapters 1 and 2, and to our fact sheets. These provide the Air Force's reasons for what we're proposing, while fully realizing that not everyone will be in agreement with us. Again, our focus here tonight is the potential environmental impact of what we're proposing.

We don't have to have all inputs today or tonight. If you think of something tomorrow or the next day, send us your comments in writing, the comment period will be open through August 4th. The mailing addresses are on the fact sheets that you may have picked up and also on the comment cards.

So, where are we at in the NEPA process? Like all proposed actions evaluated under NEPA, there is a schedule or time line we're doing our best to adhere to. On this slide you will see all the key actions required by NEPA. And I would just call your attention to the June 20th date, that was the beginning of the comment period and it must run for 45 days, which would end on August 4th.

After that point, we'll get started taking all the inputs from these meetings and continue our environmental

analysis and we're looking to have a final environmental impact statement in early November and we would like to have a decision made in early December, that's when the Record of Decision would be signed.

I hope that the information I've just given you has provided with you with a clearer understanding of what NEPA requires, why we are holding these meetings, and what we are trying to accomplish. Again, our goal is to ensure the decision maker makes an excellent decision which will lead to excellent action, one that allows the Air Force to accomplish its mission while also protecting the environment. They go hand in hand. This concludes my portion of our presentation.

JUDGE HEUPEL: Now Colonel Hargarten will give you the details of the proposed action and the alternative actions.

LT. COL. HARGARTEN: Thank you, Judge. I'm glad to be here tonight to provide an overview of this proposal to expand German Air Force Operations at Holloman. Before I get into the specifics of what the Air Force is proposing to do, I'd like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950's, Germany has demonstrated a commitment to its NATO role. German aircrews have been training in the U.S. in fighter aircraft since 1957. They have

trained in F-84s, F-104s, F-4s, and Tornados. Since 1992, the U.S. has provided German aircrew training in F-4s at Holloman Air Force Base and I was the commander of that squadron for two years.

To me the German U.S. partnership was clear to see as we hosted German Air Force pilots to help ensure our allied aircrews are training to the same high standards as U.S. pilots. This partnership has been especially useful since the end of the Cold War, as multinational allied action became an even more important means of protecting our nation's security and promoting stability around the world; as the Soviet superpower and the Communist Bloc in Europe fell and as the U.S. began to withdraw its forces from Europe.

All these factors have made readiness and training more important than ever before because of a changing international environment, a greater diversity of risks and threats and reduction in U.S. military budgets. This policy is reflected in the current National Military Strategy, which emphasizes international training and military exchanges.

For this approach to our defense to succeed, and for U.S. and allied forces to be safe, we must provide both U.S. and allied aircrews with the highest caliber training. Combat readiness requires constant training, and that is another reason behind this proposal. The U.S. and its allies must train the way they intend to fight. Responding to the

government's new military strategy and increased risk demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training: low-altitude training, air-to-air training and air-to-ground training. Proficiency in all three is vital. We want to ensure that the people fighting alongside us are just as combat ready as we are.

Holloman is well suited for further growth in the German Air Force training mission. In addition to having the infrastructure to support the 12 Tornados already at Holloman, the base offers available land, airspace areas, support facilities, local community support and the benefit of being located near the German Air Force Command Headquarters at Fort Bliss, near El Paso, Texas.

These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness because it provides realistic training opportunity.

But another integral part of our mission is serving as a good neighbor and good steward of the environment. That makes it important to us that you assist in the decision making process for this proposal and at any time you have concerns about our operations or activities, our Public Affairs phone

number is 505-475-5406.

Community input has already led us to define avoidance areas or to raise minimum flying altitudes over, and distance from specific sensitive areas. We also work with the Federal Aviation Administration to reduce potential impacts to civilian aviation by providing advanced notice when we're using many airspace areas.

In our role as caretakers of the environment, we believe environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our installation to sustain diverse environments and monitor the conditions of natural resources, including air and water quality and land condition, to ensure there is little or no degradation. We work closely with agencies such as the Bureau of Land Management, the U.S. Forest Service, the U.S. Fish and Wildlife Service to protect and enhance resources and minimize impacts to sensitive areas.

Now I'll outline the main components of the proposal to expand the German Air Force's presence and establish a German Air Force Replacement Training Unit at Holloman. The Replacement Training Unit would function as a school for German Air Force Tornado aircrews. First, the proposal includes facility construction and relocating an additional 640 personnel to support training of German aircrews and the 30 additional Tornados.

Second, it includes aircraft training in airspace throughout the region. And third, in order to meet the needs of the Tornado aircrews, three training options are considered within the proposed action: construction and operation of a new air-to-ground tactical complex at one of two locations on McGregor Range or use of existing military training ranges at White Sands and Melrose Range near Clovis, New Mexico to accommodate training requirements.

This beddown of the 30 additional Tornado aircraft would require construction of academic and administrative buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities and hangers, and dormitories on Holloman Air Force Base. Construction would total over $100 million. All the construction and relocation expenses directly related to the Germans would be paid for by the German Air Force.

A variety of airspace is needed to support the German Air Force mission. Airspace needs include military training routes for low-altitude maneuvers; military operations areas, or large areas of airspace where military aircraft practice air-intercept training; and areas restricted to military use. The proposed action would result in an addition of approximately 2,800 additional sorties on military training routes; 3,200 additional air-to-air, or dogfight sorties in military operations areas or restricted areas and 2,600

air-to-ground range sorties per year.

Aerial refueling operations would also be performed. These sortie numbers are not cumulative. By that I mean you simply cannot add up all those numbers and arrive at a total number of sorties that would be flown by additional airplanes. A single sortie may include use of a low level training route, then performing aerial refueling, then use of a military operations area for air-to-air training, and finally delivery of training ordnance on an air-to-ground range.

Currently the majority of our tactical air-to-ground training is conducted on White Sands Missile Range. According to national policy, White Sands' mission of research, development, tests and evaluation has priority over Holloman's training needs. As a result, it is presently difficult to get adequate time to train in White Sands' airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features of the Red Rio and Oscura target complexes preclude their use of training for certain types of munitions deliveries.

We are looking at three options to meet the air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range, which is controlled by the Army's Fort Bliss. One option is a location on western Otero Mesa, and the second option for the new target

complex is a location in the Tularosa Basin portion of the range.

If a new target complex were to be built, it would be comprised of a 2-by-4-mile impact area within a 12-by-15-mile safety area. Construction activities would be primarily confined to the 2-by-4-mile impact area. No live ordnance would be used in the new target complex.

Although not operationally desirable, the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura on White Sands Missile Range west of Carrizozo, New Mexico, and Melrose Range near Clovis, New Mexico. These training options differ only with respect to utilization of airspace and ranges. Aircraft would access either of the new target complex options or the existing ranges using military training routes.

Let me just walk you through a few slides to orient you on the map of some of the locations we've been discussing. This slide shows in the middle is Holloman Air Force Base, the end of the pencil. You can see White Sands Missile Range, which you all, in this room, are very familiar with. To the southeast is McGregor Range, another restricted area. We've got the Talon MOA, military operations area in the yellow, the Beak MOA in the green, the Pecos MOA in the blue.

The 3,200 sorties I referred to that would be flown

in military operations areas and restricted areas would be flown in those four areas. The Talon, the Beak MOAs, McGregor and White Sands Missile Range, with a few in the Pecos MOA. We will not be using Valentine or the MOAs over here.

Next slide please. This is a very busy slide. What it shows is the low levels, color coded for different low levels inside our local flying area. To orient you on the map, the green circle in the middle of the tip of my pencil is the Holloman Air Force Base. You can see White Sands Missile Range here just to the north and west of Holloman.

The low levels shown on the map here, starting in the green low level on the tip of my pencil that comes up here by Santa Rosa, over, down and back towards the Melrose Range. What I'm going to discuss is how many sorties, there's a lot of numbers I'm going to go over here real quickly, but I'll try to keep them as simple as possible. I'll be referring only to the Tornados and I'll refer to how many sorties they are flying, projected to fly, the 12 Tornados that are here right now, how many would they fly in the year 2000, if there were just the 12 here.

Then how many Tornado sorties if we built a new bombing range or a new tactical complex on McGregor. And then how many would be flown if we just relied on the existing range that we have. So I'll walk you through those kind of slowly. Basically IR-113, the 12 Tornados that are here right now are

not using that low level. If the additional 30 Tornados come, they would be flying, and there was a new bombing range built they would fly 170 sorties on that low level. If there was not a new bombing range built, they'd be flying 1,199, basically 1,200 sorties would be flown on that green route if there was not a new bombing range built.

VR-125 is the blue route or teal route here, that route right now they fly 55 sorties. If we build a new bombing range, they'll go up to 100 sorties. And if we do not build a new tactical target complex, they would fly 400 sorties, 401 sorties.

VR-176, that's a low level that goes into Arizona, but it's coming down towards the ranges, from the north here it's kind of a black line right here, that VR176 right now they fly 105 sorties on it with the 12 Tornados. If we build a new bombing range it will go up to 700 -- if the additional 30 Tornados come, they'll go up to a total of 742 sorties. If we have to rely on existing ranges, it will come up to 1,376 sorties on that low level.

IR-133 is this orange line right here that goes up to the north and then cuts over, comes down towards the bombing ranges. Right now they fly 1,110 sorties, it'll go up to 1,273 sorties if we build a new range. If we have to rely on existing ranges it would be 1,433 sorties on it.

Next slide, please. This slide shows the local

air-to-ground ranges that we use. Under the existing ranges option, we would be using the four ranges in red, Red Rio, Oscura, the Class C target on McGregor and Melrose. This circle, a hundred mile circle is just to orient you on the map. You can see Holloman in the middle, most of you in this room are very familiar with the ranges, but I'll quickly review them.

Red Rio is 45 miles to the north of Holloman. It is a tactical range, meaning it has a simulated airfield, simulated conveys, industrial complex, triple A sites, antiaircraft artillery sites. It is not a scored range and it is not manned. It does have a single live drop target on it, on Red Rio.

Just to the south of it -- now one of the issues on Red Rio is the terrain is very steep, as you know it's somewhat in a valley there. So there is a number of sorties that cannot be accomplished, terrain following radar pattern sorties that cannot be accomplished on that range, that would have to be done on another range. Under the existing option those sorties would have to go to Melrose.

Just 10 miles to the south, Oscura Range is a conventional bombing range, by that it has a couple of tactical targets but it has two targets on the ground that are surrounded by concentric circles and it is used by the fighter pilots for some of their basic bombing fundamentals training.

It is a manned range, you can see it, it is scored and there is a strafe target there. There's no live drop targets on Oscura.

The Class C target on McGregor Range now is a single target in the ground with concentric circles around it, it is not scored and it is not a manned range. Located 145 miles to the northeast of Holloman is Melrose Range and it is both a conventional range and a tactical range. Under the proposals, reviewing the numbers quickly, on Red Rio, right now the 12 Tornados would be forecast to fly, in the year 2000 they would be flying 420 sorties on Red Rio. If we bring in the additional 30 aircraft and we build a new bombing range, they would fly 670 sorties on Red Rio, total. If we rely on the existing ranges and we do not build a new bombing range, it would still be 670 sorties on Red Rio.

Oscura to the south, right now they forecast to fly 640 sorties, the 12 Tornados that are here, 640 sorties in the year 2000. If we bring in those additional 30 Tornados and we build a new bombing range they would fly 940 sorties total on Oscura. If we have to rely on existing ranges, and we do not build a bombing range, there would be 1,530 sorties on Oscura Range.

Next slide, please. This slide is a slide of McGregor Range. Orogrande is located over here to the west. This is County Road 506 that cuts through the range, the red

line. Just to the north of it, this dotted line is a power line. These dashed 2-by-4-mile areas here are the two proposed locations for the two new impact areas, these are two of the options. One is referred to as the west Otero Mesa option, that's this one. This is called the Tularosa Basin option.

You hear and read in the EIS they're referring to on the mesa and off the mesa. What that means, if you follow this green line up here, there's an escarpment on the range where the elevation changes by several hundred feet and that's how they define when you hear, when you read the newspaper talking about on the mesa or off the mesa, it's defined by that escarpment here. Under both of these options, 506 would not have to be moved, nor would the power lines have to be moved.

Also this map, if you can see it, it's very difficult to see, I guess you can see this, this light red line here that goes around each of these 2-by-4-mile areas, that is the 27,000 foot safety fan, that when -- if one of these locations was chosen, for example if this Tularosa Basin site was chosen, the access by the public would have to be controlled inside of that safety fan when the range is in use.

In neither one of these options, as I said, would you have to move the road or the power line. Access to the public would have to be controlled 24 hours a day inside the little over 5,000 acres of the actual impact area. The fences would be approved by the BLM, so that, there's a lot of antelope,

there is antelope up there on the mesa, they can go over the fence for grazing in the impact area. But the public, during hunting season would not have access inside the 2-by-4-mile area. They would have access, though, inside the safety fan on the weekends or when the range is not in use.

On the slide also you can see these kind of dark blue lines coming out of the mountains, those are water pipelines that come down to feed water to some of the water troughs on the range. In fact, there is a water trough here inside the impact area on the mesa, that would have to be moved if that location was chosen.

The green lines here represent different grazing units. You can see that there's no grazing units off the mesa in the Tularosa Basin, but on the mesa it does split two different grazing units, numbers nine and thirteen, it splits them.

The airspace that would be used could include modified training military routes and restructured airspace in southern New Mexico and west Texas that were contained in a separate proposal by the Air Force and addressed in a final environmental assessment, or EA, entitled Proposed Airspace Modifications to Support Units at Holloman Air Force Base, New Mexico. That action also involves establishment of an air refueling route. This EA has been approved by the Air Force and is undergoing review by the FAA.

If this airspace modification is not implemented, existing airspace would be used to support the increased Tornado aircraft. These differences in airspace availability and utilization are taken into account in the analyses of the impacts of the EIS that we are addressing today. Mrs. Parker will discuss these impacts shortly.

In addition to the proposed action and its three training options, the EIS includes the no action alternative, which anlayzes the environment without the additional aircraft and aircrew relocation, target complex construction, or change in airspace utilization. This alternative does, however, include some other actions that have already been adopted, such as the change from F-111 to F-16 aircraft at Cannon Air Force Base.

The proposal to expand German Air Force operations at Holloman is important to our country because it advances our efforts to keep our nation and its vital interests safe through a stong and well-trained allied team, despite the fact that U.S. military forces are much smaller today. Keeping this team ready requires constant realistic training now more than ever before. And central to this proposal and our ongoing mission is our responsibility to serve as good neighbors and stewards of the environment.

Thank you for your attention. I appreciate the opportunity to make this presentation to you tonight.

JUDGE HEUPEL: Now Ms. Parker will summarize the potential environmental impacts associated with the Air Force's proposal.

MS. PARKER: I'm going to try to make it so it doesn't squelch. Can everybody hear me out there? Is it squelching? Please bear with me because I've got the longest portion of this presentation, so I'll try not to bore you too much. Thank you, Colonel Hargarten and Colonel Heupel. This draft EIS describes the environmental impacts that are associated with implementing the proposed action, which is to relocate 30 more German aircraft and the associated personnel and support facilities to Holloman, as well as the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of our proposal: construction at Holloman to support the additional personnel, aircraft and the programmatic needs; training in airspace throughout the region, as well as three training options to meet the air-to-ground training requirements.

We looked at three options to satisfy the need for increased air-to-ground training: two of these options involve new construction on McGregor Range, and the third option would increase use of the existing ranges. We also looked at the use of airspace in the region. The Air Force has requested from the Federal Aviation Administration to approve modifications to

military training routes in New Mexico and southwest Texas, as well as the Talon military operations area in New Mexico.

The draft EIS examines the environmental effects of the proposed action, both with and without the modified airspace. Also, as Colonel Hargarten mentioned previously, we examined the no action alternative, which considers not implementing the proposal and thus results in no change or impact to any of the environmental analysis categories.

I'll discuss the overall impacts to the environment associated with implementing the proposed action, impacts to airspace use and management, environmental impacts of construction of the two new target complex options, as well as the option of using the existing ranges. The existing ranges would be used under all three training options, but their use would be considerably higher under the existing range training option.

Before going into any specific impacts, I want to explain how the impacts of the proposed action were compared to the environmental conditions without the proposed action. First we described existing environmental conditions in fiscal year 1995. However, there are a number of actions that have already been approved that would occur whether or not the additional 30 Tornados are brought to Holloman.

For example, in 1995, 12 Tornados that are already at Holloman had not yet arrived. Also, a squadron of AT-38s at

the base were deactivated just this year, and this was not included in the conditions that prevailed in 1995. In addition, Cannon Air Force Base is in the process of changing from F-111s to F-16 aircraft and they'll be using some of the same airspace that the Tornados would use.

Therefore, to provide a baseline to compare to the proposed action, we projected the environmental conditions that could be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions that would occur between 1995 and the fall of 1999, or the first quarter of fiscal year 2000, when the 30 Tornados would beddown. The draft EIS also discusses cumulative impacts from the proposed action in connection with other reasonably foreseeable Department of Defense actions affecting Holloman Air Force Base and the airspace and ranges in the region.

At any given time there are a number of potential actions that could include basing of aircraft, changes in mission for the aircraft at a particular base, or new construction at a base that the Air Force might be discussing or contemplating. Many never make it past the discussion stages, but some do and it's not always possible to call them reasonably foreseeable actions during the early discussion stages.

As an example, development of the new F-22 Raptor

aircraft is well under way, but the basing process is not yet out of the discussion stage. Therefore, a discussion of the possibility of basing an operational F-22 unit at Holloman Air Force Base is not necessary because it is not now reasonably foreseeable. The Air Force is also discussing establishment of new electronic scoring sites for bomber aircraft and if the decision were made to pursue these sites, it is possible that they may be located in the mountainous west or the southwest. But the definitive criteria necessary to formulate this discussion into a proposal has not yet been developed, therefore, its precise location is not reasonably foreseeable and an analysis of this is not included in the EIS.

Now to summarize the findings of the draft EIS in the 13 environmental areas analyzed in the document. Tonight's briefing is an overview of the general findings in each environmental discipline. And I urge you to refer to the draft EIS itself for details on the resource impacts.

The first resource area we examined was airspace use and management. Our analysis found that there would be minor impacts to civil aircraft traffic due to increased operations at Holloman. None of the three training options under the proposed action would result in any significant airspace impacts.

The noise analysis examined impacts around the Holloman airfield and in the airspace and ranges that would be

used. At Holloman and surrounding areas, about 41 acres are currently exposed to day-night average sound levels above 65 decibels or more. Day-night average sound level is a measurement that averages noise for multiple events, such as a jet taking off or flying overhead, over a typical 24-hour period. This measure adds an additional 10 decibels to events that take place between the hours of 10:00 p.m. and 7:00 a.m. because of an increase in sensitivity at night.

By October of 1999, the affected area would increase to about 42 acres due to other ongoing projects. Implemenation of the proposed action would further increase this to about 47 acres, a change of about 12%. For either the west Otero Mesa or the Tularosa Basin training option, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. In no case would average sound levels increase by more than six decibels.

Under the existing range training option, sound levels under affected airspace would increase negligibly at most locations, or even decrease in some instances; but there are instances, such as under the Pecos military operations area near Fort Sumner, that sound levels would increase by as much as 13 decibels from their existing 45 to 46 day-night average sound level to about 57 to 59 decibels.

Except at the air-to-ground ranges themselves, none of the airspace areas, military operations areas and training

routes, would have average noise levels above 65 decibels under any of the options. The actual sound that's generated by an individual overflight depends on the type of aircraft, its altitude and speed and other factors.

As an example, the maximum sound level on the ground directly under a Tornado flying at a hundred feet ranges from 117 decibels to 124 decibels. At 500 feet away, which is by regulation the minimum distance an aircraft can be flown next to a person or a structure, a Tornado would generate a maximum sound level of 102 to 108 decibels.

Increased operations at Holloman Air Force Base would result in increased noise over portions of White Sands National Monument. Other changes in overflights in affected airspace would result in negligible changes in sound levels in most locations, with no significant effect on land use. In some areas east of McGregor Range and southwest of Artesia, particularly where airspace units overlap, there would be a noticeable increase in the number of overflights that could be annoying to residents and recreationalists.

Under the existing range training option, areas near places like Capitan Mountains and Sumner Lake would experience higher overflight increases that could also be annoying to recreationalists. However, even with the increases, the total number of overflights would remain low, with any one location unlikely to be overflown more than once per day.

Construction of a new target complex at McGregor Range would result in a reduction to access to portions of Otero Mesa that are south of Highway 506 by recreationalists, BLM workers and ranchers. Access for livestock management, for example, would have to be scheduled around times that the complex would be in use, estimated at about 60 hours per week. Livestock grazing would be able to continue, however, even when the complex is being used.

If the new target complex were constructed on Western Otero Mesa about 5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land would be removed from grazing, but access to portions of Otero Mesa would still be restricted for people while the target complex is in use. Neither option would affect access along Highway 506 itself.

Air quality would not be significantly impacted by the proposed action. There would be temporary increases in air emissions during construction of facilities at Holloman if a new tactical complex were built, but these emissions would not result in a significant impact to air quality conditions, including visibility conditions. Aircraft emissions would also increase, but not at levels enough to affect the adherence to the national ambient air quality standards.

Potential impacts to biological resources from implementing the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, direct

loss of animals and temporary disturbances from noise. About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman Air Force Base for construction of facilities. In addition, an existing building that is used by bats as a roost would be demolished. Burrowing owls that are in the vicinity of proposed facilities at the base would be relocated. There would be no impacts to threatened or endangered species or to wetlands.

Other potential impacts would include continued disturbance of vegetation and habitat at existing ranges and continued temporary wildlife disturbance from noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to the baseline, but the increases would be relatively small and result in small increased potential disturbance to wildlife. Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the areas of Lincoln National Forest, Sacramento Mountains and Gila Wilderness in New Mexico, as well as the Apache-Sitgreaves National Forest in Arizona.

Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown. Bald eagle winter concentration areas in west-central Arizona, the portion of the Rio Grande in the region around Elephant Butte Reservoir, and Brantley Lake and Santa Rosa Lake along the Pecos River potentially would be overflown more frequently.

These daily overflight increases would be relatively small and result in a low impact to protected species. Consultation with the U.S. Fish and Wildlife Service has been initiated and would be completed prior to use of any of the airspace implemented under the proposed action.

Impacts associated with construction and use of a new target complex on west Otero Mesa would result in a net loss of between 500 and 1,040 acres from construction of targets, firebreaks and roads. In addition, there would be annual redisturbance, which would occur during ordnance cleanup as well as maintenance. Use of inert ordnance and flares would increase the potential for fires within the impact area.

Up to 46,000 linear feet of Waters of the U.S. may be affected under this option. Loss of this grassland and shrubland vegetation would result in a minor loss of wildlife habitat, including habitat for burrowing owls, aplomado falcon and black-tail prarie dog and grama grass cactus habitat. Also, wildlife would probably avoid the new target complex while inert ordnance was being dropped and during cleanup and maintenance because of the human presence, as well as the noise.

Increased aircraft sorties would result in more frequent overflights of wildlife on McGregor Range. For example, wintering bald eagles, nesting raptors such as the red-tailed hawks and the northern harriers, and bat habitat,

including potential roosts along the escarpment and feeding areas and watering sources would be overflown more frequently.

Impacts that are associated with construction and use of a new target complex in the Tularosa Basin would also include short-term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before constructing any targets. In addition, annual redisturbance of about 1,040 acres would occur during ordnance cleanup and maintenance. Use of inert ordnance and flares would also increase the potential for fires under this option as well.

About 33,240 linear feet of Waters of the U.S. may be affected by the construction and use of this option. Loss of this grassland and shrubland vegetation would also result in a loss of wildlife habitat, including habitat for the aplomado falcon and the night-blooming cereus. As with the west Otero Mesa option, wildlife would probably avoid the new target complex during dropping of the inert ordnance and during cleanup and maintenance because of the human presence and the noise.

Using only existing ranges would result in a slightly higher aircraft use of instrument route 113 and visual route 176, compared to the no action alternative. The increased use of visual route 176 would result in a small increased potential for overflights of habitat of peregrine falcons, Mexican

spotted owl, bald eagle, whooping cranes, and the southwest willow flycatcher.

Impacts from the proposed action to cultural resources on Holloman Air Force Base, under airspace areas, or at existing ranges would be negligible. If a new target complex were constructed on west Otero Mesa, 17 sites eligible or potentially eligible for placement on the National Register of Historic Places could be impacted. If a new target complex were constructed in the Tularosa Basin, 29 eligible or potentially eligible for placement on the National Register could be affected.

Water resources would not be impacted by the airspace components of the proposed action. Construction and new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any serious problems resulting from runoff. Increased use of existing ranges would result in negligible impacts caused by runoff, and there is an increased potential for soil erosion during heavy rain. However, resulting impacts to surface waters would be minimal.

Increased soil erosion and sediment transport could result from construction and operation of a target complex in the Tularosa Basin, but the impacts would be negligible. Impacts from the west Otero Mesa option would be similar. In addition, there is a chance that water resource improvements,

such as pipelines, water tanks and pump houses could be damaged by inert ordnance. These improvements would be relocated as necessary or repaired to ensure that the availability of water for wildlife and livestock is maintained.

There would be a 12% increase or about 13,500 pounds in hazardous waste generated per year and an increase in use of hazardous and toxic materials at Holloman. Hazardous materials and waste would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on hazardous material and waste management practices. Hazardous materials and waste management are largely unaffected by airspace utilization.

Munitions on existing ranges would increase, but Air Force ranges are annually cleared of scrap metal, which is disposed of through existing orders and regulations. Under any of the training options munitions use would generate about 150,000 pounds of non-hazardous strap metal each year. Since cleanup and disposal procedures are in place to handle this waste, there would be no significant impact to the environment or hazard from this activity.

The proposed action would result in an increase of about 640 military personnel at Holloman, and generate approximately 110 construction jobs. Annual wages and purchases in Otero County would increase by 10% to $18.2 million, with the potential for other additional infrastructure

improvements. There would be no significant impact to regional socioeconomic attributes, such as employment, construction, police or fire protection. Cost of the construction of a new target complex on west Otero Mesa is estimated at $4 million, and the Tularosa Basin option cost is estimated at $20 million. Airspace utilization has little effect on the socioeconomic conditions.

The only transportation impacts resulting from the proposed action would occur in the City of Alamogorod itself. Although the proposed action would result in a relatively small increase in traffic, there would be an adverse effect on traffic conditions, potentially increasing congestion along the main road going through Alamogordo.

Utility use at Holloman would increase between 6 and 13% under the proposed action, but the increase would be within existing levels of service. Alamogordo utility use, which includes water, waste water treatment, waste disposal and electric and natural gas supply, would increase from 3 to 6%. There would be no impact on utilities from changes in airspace or the range use. If a new tactical target complex were built on west Otero Mesa, a portion of existing water lines and a stock tank may need to be relocated. The other training options would have no effects on utilities.

Construction at Holloman Air Force Base and Red Rio and Oscura Impact Areas at White Sands Missile Range could

affect soils, but because of the present conditions on these areas, the impact would be minor. Increased live munitions drops at Red Rio could increase vegetation loss and a potential for soil erosion. While increased use of live ordnance at Red Rio could result in increased contamination from uncombusted explosives, past use was found to have caused negligible soil contamination.

If the Tularosa Basin new target complex were constructed, virtually 100% of the 5,120 acre impact area would be heavily impacted; that is, all vegetation would be removed in order to clean up existing unexploded ordnance. If the west Otero Mesa target complex were constructed, approximately 20% or about 1,040 acres of the vegetation would be removed. Soil conditions would be unaffected by airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in risk of aircraft mishap and bird-aircraft strike if the proposed action were implemented. Although munitions use and handling would increase over the current conditions, range operating procedures are in place to ensure safe operations, therefore, no significant impact is expected under any of the training options. There is a potential for increased fire risk if one of the new target complex alternatives is selected.

The effects of this proposed action, along with other actions which have been recently implemented, such as the 12

Tornados that were brought to Holloman last year, and actions which will be implemented in the reasonably foreseeable future, such as the change to F-16s at Cannon Air Force Base, were addressed in the draft EIS's cumulative impact analysis. A comparison was made between conditions as they prevailed in fiscal year 1995 and those that are projected for fiscal year 2000 under the proposed action.

For some of the resources, no significant cumulative impacts would occur following expansion of the German Air Force operations at Holloman. These resources include airspace management; air quality; archeological, cultural and historical resources; water resources; hazardous materials and waste management; safety; utilities; transportation, and soils.

In most cases, cumulative impacts would be related to increases in aircraft operations and the associated noise, which could affect land uses and biological resources. Other activities, such as timber harvesting and grazing could add to habitat impacts, although these impacts would be minor. Other projects in Alamogordo could affect employment and economic activities in the area.

To summarize the environmental impacts from the proposed action, most locations would receive negligible impact to the environment. Areas that are projected to be most affected, if the proposed action goes forward, are areas near Alamogordo because of increases in employment, population,

traffic and aircraft operations at the base; areas near Carrizozo because of an increase in nearby overflights; areas west of Truth or Consequences, in which threatened and endangered species, such as the bald eagle and Mexican spotted owl, could be disturbed by potential increases in overflights; the Fort Sumner area because of potential increases in nearby overflights if there is an increase in the use of Melrose Range; near Dell City because of increased nearby overflights; and the Alpine/Marfa/Fort Davis area could experience increased nearby overflights if expansion of the German Air Force operations are approved.

Thank you for your attention.

JUDGE HEUPEL: Ladies and gentlemen, as I indicated earlier at this time I'll take clarifying questions, but let me explain what clarifying questions are. Clarifying questions are questions about what it was that they just presented. If you've got questions about current flights, current sound problems, those types of things, those are appropriate for you to bring up during the comment period to be answered in the final EIS, they're not clarifying questions over what the people have just addressed.

But if there's some questions, you know, what were the number of flights? Can you repeat that? What did you mean by a particular phrase? We'll try to clarify what it is they presented, so that you have a better understanding to be able

to respond. Now I'll take this lady first. What I'm going to need to have you do is come up here to the podium and speak into the microphone and state your name and then go ahead and ask the question. And ma'am, if you'd go on up here, and then, sir, if you'd come on up here afterwards, I'll take your question. And go ahead and address your questions to me, please.

A VOICE: My question's real easy, I'm writing for the newspaper, could I have your and their names and spelled please, and ranks.

JUDGE HEUPEL: Can we give those to you at the break?

A VOICE: That is fine, but I need to get that.

JUDGE HEUPEL: We'll be happy to do that. Yes, sir.

MR. MANESS: I have a question on -- my name is Lloyd Maness. I have a question on the acreage you quoted, is that just the area for the bombing range, does that include the buffer zone and everything?

MS. PARKER: The 5,120 acres is the impact area itself.

MR. MANESS: The impact area itself?

MS. PARKER: Yes, sir.

MR. MANESS: Okay. And I'd like to see that chart again on the flight areas.

JUDGE HEUPEL: You mean the one that has the different training routes?

MR. MANESS: Right, right.

JUDGE HEUPEL: Okay. Can we put that up there?

(Slide placed up.)

MR. MANESS: Okay, that's the number I needed, thank you.

JUDGE HEUPEL: Okay. Yes, sir. Sir, you had a question?

MR. CARROLL: My name is Jerry Carroll. You referred to 12 Tornados currently.

JUDGE HEUPEL: (Nods head.)

MR. CARROLL: Is that a replacement? Did they replace the one that was crashed?

LT. COL. HARGARTEN: Jerry, their PAA is what they refer to it as, the primary aircraft assigned, we refer to 12 aircraft, they had approval to bring one more aircraft over about, I'd say four or five months ago, they had approval to bring a 13th aircraft over here to use for spare parts because they were having trouble with their maintenance and their supply chain. That aircraft crashed here just like six weeks ago or so.

MR. CARROLL: Yes, sir.

LT. COL. HARGARTEN: So now they are back down to 12.

MR. CARROLL: Thank you, sir. One other question. The United States government doesn't subsidize Germany in any way, shape, form or manner here?

JUDGE HEUPEL: Sir --

MR. CARROLL: The question was pertinent to the fact that he stated that the German Air Force is paying for everything themselves, or the German government.

CZ-1

JUDGE HEUPEL: Paying for the construction costs and the costs associated with bringing the personnel over here.

MR. CARROLL: The question is, where are they getting the money from?

JUDGE HEUPEL: That's something that none of the people here can address.

MR. CARROLL: I see, sir. One other question, sir?

JUDGE HEUPEL: Okay.

MR. CARROLL: On the biological affects, I've heard nothing in there about the RF affects, is that a pertinent question, because I didn't, what little study that I had on the EIS, I found nothing regarding the radar, the RF or anything else, any biological affects on it. Thank you, that's it.

CZ-2

JUDGE HEUPEL: Let me just ask, I know there was nothing in the briefing, do you happen to know whether there's

anything in the EIS itself?

LT. COL. HARGARTEN: Jerry, I don't believe there is anything in the EIS and please bring that up in the comment period and that possibly will be addressed.

MR. CARROLL: Thank you, sir.

JUDGE HEUPEL: Thank you, sir. Are there any other clarifying questions? Yes, sir, if you'd come on down here to the --

MR. HAYES: If you don't mind, I can do it from up here, I'll speak loud, my hip hurts.

JUDGE HEUPEL: Okay, real loud, please.

MR. HAYES: Okay.

JUDGE HEUPEL: Would you state your name?

MR. HAYES: My names is Hayes, James Hayes. I'd like to know from the one slide you just had up there on the air routes, from the Carrizozo airport now, the only way we can really get out of here is go north. Looks to me like you've got some low level routes that are going to really affect the VFR traffic out of the Carrizozo airport to the north. You had some pretty low, if I remember, 100 feet altitude and things like that.

CZ-3

JUDGE HEUPEL: A little bit louder, please.

MR. HAYES: I'm pretty concerned about that, it seems like that can be a major problem for our people leaving the airport. Granted there are not that many operations, it

CZ-3

still would be very dangerous, I've heard people say now that they've been targets of opportunity when they were flying up --

JUDGE HEUPEL: Sir, let me interrupt you and just ask -- that's fine to address in a comment period, but let me just ask whether that's been addressed in the EIS itself, whether anybody knows immediately offhand. Part of the difficulty here, ladies and gentlemen, is that none of the people up here, one, are the decision makers, and the people that put all this together, there are a large number of people that put it all together, and so the knowledge is sometimes segmented. And I'm not sure whether the people up here specifically know whether that was addressed in the EIS or not.

LT. COL. HARGARTEN: I think we have to, if you'll make that during the comment period, sir. What the point is, and that should be addressed then, is what are the, is there any increased difficulty for civilian aviation to get in and out of Carrizozo, because there's just that narrow corridor that goes to the north with WSMR on the right and the Beak MOAs to the east and then a number of MTRs that enter the Oscura and Red Rio Range, so I think that's a good comment to bring up and I think that should be --

MR. HAYES: You're just suggesting I make this in the comment portion?

JUDGE HEUPEL: Yes, sir.

MR. HAYES: We'll do that.

JUDGE HEUPEL: Yes, sir. Are there any other clarifying questions? Yes, sir, if you'd come down, please.

MR. HORNBACK: My name is Bill Hornback, I've got a couple on, you mentioned something about scrap removal on the ranges at the end, or on an annual basis, yes?

MS. PARKER: Yeah, annually, um-hum.

MR. HORNBACK: You mentioned the range, Tularosa Basin, you would go through there and remove what type of munitions?

LT. COL. HARGARTEN: Mr. Hornback, what Mrs. Parker was referring to is the Army, that Tularosa Basin location -- can you put that slide up, please Mike? That Tularosa Basin is inside a historic live artillery area that has been used by the Army for many, many years, that's the Tularosa Basin location. Before we can go in there and have construction and build new targets, build the tactical target complex, if that location was chosen, we would have to go in there and search for and clean up any unexploded ordnance, it's just a safety, something we'd have to do for safety.

MR. HORNBACK: To what extent will they clean that area? That area has been heavily used.

LT. COL. HARGARTEN: Good question. Okay, I'm going to call on, if it's all right with you, Judge, we have, Mr. Larry Hoppes here, who's the range manager, oversees the contract for both Oscura and Red Rio Range and he has been

working with the folks down at Egland. Larry, can you come up to the mike?

MR. HOPPES: Yeah, we're working with an outfit down at Egland right now, they have a device that will do a subsurface search for munitions, we're going to go down to two foot, clearing all the area, so that we can build the targets. And right now we understand that there's anything from small bore antiaircraft up to 160 mm rounds out there in that area.

JUDGE HEUPEL: Thank you.

MR. HORNBACK: So that would be one of the results for putting it in that area?

MS. PARKER: Yes, sir.

MR. HORNBACK: Correct?

MS. PARKER: Yes, sir.

MR. HORNBACK: Another question on your sound levels, you mentioned going up to the level of 108 DB, yes?

MS. PARKER: (Nods head.)

MR. HORNBACK: What is the noise level required for pain?

CZ-4

MS. PARKER: There is a reference to that.

MR. HORNBACK: Have you done any checks on that?

JUDGE HEUPEL: Pages C5 and I think C9, this has come in some of the prior hearings, Pages C5 and C9 in the EIS address some different decibel levels as well as aircraft decibel levels.

MR. HORNBACK: Yes, sir, but they were trying to do a study on that and it got kind of pushed to the side, I just wondered, did they address pain level?

LT. COL. HARGARTEN: I'm not the noise expert, but just to relay to the audience the chart that the Judge is referring to on Page C5, what it does is it tries to equate some of these DBs that you're hearing tonight, what are some sounds that we've all heard. So here just looking at this, a vacuum cleaner at 10 feet is 70 DB, an automobile at 100 feet, it looks like about 65 DB and then you get into the oxygen torch, it has, for example, 120 DB. I don't remember a threshold of pain listed here. I have heard numbers I've heard unofficially, but I'm not familiar with one. I don't know if anybody else on our panel is.

JUDGE HEUPEL: I think at this juncture to answer your question specifically, that's something that would have to be answered in the final EIS, I don't think anybody here could specifically answer it.

MR. HORNBACK: You would address it to someone higher then? Okay.

JUDGE HEUPEL: In the final EIS.

MR. HORNBACK: The other one, concerning your draft environmental impact versus the arrival of the additional 30 GAF aircraft, the no action alternative, if you come and pick that, does that affect the environmental draft or the

arrival of additional 30 aircraft? I couldn't pick that out from a discussion, I mean your dissertation there.

MR. JOHNSON: The no action alternative would be to not bring the 30 aircraft, not build the range and not do the construction.

MR. HORNBACK: So it would concern both.

MR. JOHNSON: I don't know what you mean by both, the 12 would stay here.

MR. HORNBACK: The environmental impact portion and the arrival of the 30 aircraft?

MR. JOHNSON: This document is an analysis of bringing 30 aircraft, it must include the analysis of not bringing the aircraft.

JUDGE HEUPEL: In other words, the no action means the planes would not be brought.

MR. HORNBACK: Therefore, there would be no environmental impact.

JUDGE HEUPEL: That's right, there would be no environmental impact, other than from the nineteen -- over and above from the 1995 as-modified levels that Ms. Parker was talking about.

MR. HORNBACK: I would have one more that would concern the three of them, it's been asked in there several times, would you three affirm under penalty of perjury as to the facts that you are alluding to, or presenting tonight as

true, correct and complete --

JUDGE HEUPEL: That's not a clarifying question.

MR. HORNBACK: -- and not intending to mislead?

JUDGE HEUPEL: That's not a clarifying question and I'm not going to permit it.

MR. HORNBACK: That's the most serious question they can answer.

JUDGE HEUPEL: Well, I'm not going to permit it.

MR. HORNBACK: Okay, thank you, sir.

JUDGE HEUPEL: Okay, at this time we're going to take about a 10-minute break.

VOICES: We've got one more.

JUDGE HEUPEL: Oh, I'm sorry, after this gentleman we'll take a 10-minute break and those of you that did not indicate that you'd like to speak, and I've got a couple more cards, but if you'd like to speak, and I know a couple of points have been brought up and we'd like to have you expand on that, go ahead and mark the cards so I can get those. Yes, sir, if you'd go ahead and state your name, I'm sorry I overlooked you.

MR. BROOKS: That's all right. My name is Paul Brooks. Looking at the map that you had up there with the water lines coming through there and the cleanup and building these target fields, who is going to build that and who is going to replace the water lines?

LT. COL. HARGARTEN: Can I answer that, sir? You can point to the water line. The water line is coming out of the foothills down here, this water line here would not have to be moved. Only if this option was chosen, the west Otero Mesa, this section of the water line that comes through the impact area, that would have to be moved. And the split for the range, we said that $100 million worth of construction would be paid for by the Germans, the split on the range construction, the Germans are paying for 60% of the range construction and the U.S. is paying for 40% and that has to do with the U.S. aircraft will also be using the range. The F-17s, I think they have 300 to 400 sorties on it at night, etcetera.

So because of the split, because of the American aircraft using that range, in fact if the Germans left 10 years from now, the range would still belong to us, so that's why we were paying for 40% of it. And as far as moving the pipeline, the U.S., that would be one of the construction costs for the range that would be split 60-40; does that answer your question, sir?

CZ-5 CZ-6

MR. BROOKS: Inside the green part there, that's a grazing range, it's going to be left as a grazing range? Who pays for the cattle when they get hit by these things?

LT. COL. HARGARTEN: Okay. Do you want me to answer that, Judge? I'll be glad to answer it, I'm just saying -- okay, I'm not trying to interrupt you or anything. This

2-by-4-mile area, the cattle would not be grazing inside of that, of the impact area. They can graze inside of the safety fan here and we are talking about in here, I think the impact approximately is 42 cattle, basically a year is what is impacted by not being allowed to go inside of those two grazing units. And that's just this acreage here, the 5,000 acres.

CZ-7

MR. BROOKS: So the 60% that the Germans are going to pay for, is that going to be included in replacing those water lines and drinking tubs and stuff?

LT. COL. HARGARTEN: Well, yes, the total range construction costs will be split 60-40 and it has to do because the Americans are going to be using the range, too.

MR. BROOKS: Another question, on the comment section, are we going to be allowed to ask the question and get an answer or are we just going to be able to --

JUDGE HEUPEL: You'll be able --

MR. BROOKS: Most people came here, they want to ask the question and get an answer.

JUDGE HEUPEL: You'll be able to ask questions, however, the answers will be provided in the final EIS statement itself.

MR. BROOKS: I mean we can't ask the question, like ask the Colonel a question, what about this or that.

JUDGE HEUPEL: No.

MR. BROOKS: He can't answer it?

JUDGE HEUPEL: No.

MR. BROOKS: Well, why --

JUDGE HEUPEL: Because as I indicated the whole environmental impact study has been done by a number of different people and these people are not the experts in all of the areas. This is, part of it also gets into, under the National Environment Policy Act process this is a public comment period, it's not intended to be a question and answer period. So we'll take comments and I'll certainly entertain questions that you have, but will they be responded to by the people up here? The answer is no.

MR. BROOKS: So if you ask the question, is the Air Force for the German Air Force being in here training, we can't get an answer on that?

JUDGE HEUPEL: No.

MR. BROOKS: So you're not for it or against it?

JUDGE HEUPEL: It's not appropriate for us to get into that. And frankly, to take that example, personal views of any of the people up here would be irrelevant.

MR. BROOKS: Well, they're stating, though, what the Germans have done for the United States security and they have done nothing.

JUDGE HEUPEL: Well, it's not something I'm going to argue about, those are the rules. I encourage you, if you have questions you want to ask, I encourage you to ask them.

However, they'll be responded to --

MR. BROOKS: You won't answer it.

JUDGE HEUPEL: No, they'll be responded to in the final environmental impact statement itself. Okay, we'll take about a 10-minute break, long enough for everybody to have a comfort break and hand in new statements if they'd like.

(Recess was taken.)

JUDGE HEUPEL: Ladies and gentlemen, we're going to go ahead and start in now. Has everybody had an opportunity to hand in their cards? It appears so. Let me go through the procedures that we'll be using. First, as I indicated everything is being taken down verbatim, need to have you come up and use the microphone, we've gotten the sound adjusted so that I think it should be louder up here, and ask you to use the microphone so that we can make sure that we have everything that you're saying recorded, and will be able to give it comment.

Come up here only after I recognize you, please speak into the microphone and go ahead and state your name and also state what city you're from, I don't need an address but just what city you're from. What I'm going to do, I've got eight cards here and I'm going to ask for a 10-minute limit on what people have to say, that's expansion over what we've normally done, but given the number of cards we've got, I'll go through those and ask you to limit your comments to that.

I'll go ahead and raise my hand at that time and ask you to go ahead and finish up with the point you're on, if you're still up here at 10 minutes and then go ahead and take your seat. And the last thing is, the reporter can only record what one person is saying at a time, so I need to make sure we only have one person speaking at a time.

I do the cards in random order so that everybody has a chance to speak first, to speak last, to be able to, if they don't want to stay for the whole thing to be able to leave early, or if they've got to stay for the whole thing, to be here later on. So the first person that I come up with would be Paul Brooks.

MR. BROOKS: Surprised you there, huh?

JUDGE HEUPEL: Random order.

MR. BROOKS: We've listened to everybody speak and naturally I think the majority of the people in here are against the increase, mainly because we tolerate the noise, we tolerate the abuse of airspace that these Germans do over here. They come up here and they seem to use the small town for targets. The runway isn't safe when they're flying around because I've made an approach coming in here, they've been right underneath me. And one of the pilots out there yesterday told me he came in day before yesterday and one of them went underneath him.

They haven't basically done anything for our

community except upset the ranchers and livestock people. And I know that, you know, they want to be trained over here because we have the best pilots in the world over here, so I can see why they want to be trained. The people here in the United States are 100% behind our pilots. If you came here and said well, we want to build out here, we want to do some increased flying and things like this, I'm sure you'd see that the people would be behind you.

But when it comes to foreigners coming in here and sort of just taking over the area and doing what they want to do, and so far we've seen no reprimand when people have complained down there. The last meeting y'all had here, the very next day two of them went right across the airport and the town 500 feet above the ground just so they could probably show you that they do what they want to do.

You know, like I say, if you want our opinion, you know I think I can speak for most of the people in this community, that we are against it. As a pilot, I'm against the increase where it jeopardizes the safety of the pilots when we want to go north or someplace, because we're restricted the way it is, it's getting worse and worse all the time for, you know, private individuals to go flying around. And a lot of times we're used as targets ourselves. And I'm sure that you know that has happened, probably in your heyday probably you might have looked at them and flown by them; I have.

But the thing is, you know what it's getting down to it's all the time it's more money going out, taxpayers are starting to foot the bill for everything, for letting people come into the country, they can do what they want and the taxpayer isn't supposed to pay for it, but he is in the long run.

But the burden, these young airmen come into the service and they're assigned down in Alamogordo, well everyone down in Alamogordo's getting rich off these guys, they've doubled the real estate and getting all this money and these young kids coming into the service that are starving to death, they can't get a decent house for them to live in because they can't afford it, because these people come in from foreign countries that have more money than we've got.

I thought we whipped them once in war, we should have more money than they've got, but evidently it's reversed, so we have Japan and everything, they've got more money than we've got. I'm against them coming in, that's all there is to it.

JUDGE HEUPEL: Thank you, sir. Lloyd Maness, is that correct?

MR. MANESS: Close enough. My name is Lloyd Maness, I'm from Corona, I've got a couple of resolutions I'd like to read to you from the New Mexico Wool Growers that was passed today in our meeting. It says resolution opposing low level training flights over west Texas and eastern New Mexico.

Whereas, the U.S. Air Force is proposing low level training flights of approximately 100 feet above the areas of west Texas and eastern New Mexico; and

Whereas, these low level flights will adversely affect the environment of this region; and

Whereas, these low level flights will adversely impact public land permittees and lessees and private land others who use these lands for grazing; and

Whereas, these low level flights will adversely impact recreational use of the land area; and

Whereas, the low level flights will adversely impact the economy of the region and States of New Mexico and Texas.

Therefore be it resolved the membership of the New Mexico Wool Growers oppose low level flights over west Texas and Eastern New Mexico.

The other one is opposing the use of west Otero Mesa on McGregor Range for German bombing practice.

Whereas, the U.S. Air Force is proposing using the west Otero Mesa on the McGregor Range for German Air Force bombing practice; and

Whereas, the use of this land will adversely impact the environment of the McGregor Range; and

Whereas, use of this land will adversely impact public land permittees and lessees who depend on these lands for grazing; and

Whereas, the use of this land for bombing practice will adversely impact recreational use of this land area; and

Whereas, the conversion of this land to bombing practice will adversely impact the economy of Otero County, the surrounding region and State of New Mexico.

Therefore be it resolved the membership of the New Mexico Wool Growers opposes the use of west Otero Mesa of the McGregor Range for bombing practice by the German Air Force.

Be it further resolved the membership of the New Mexico Wool Growers oppose the use of American facilities and lands for the training of foreign troops. Those are from the New Mexico Wool Growers. I've got some personal comments.

JUDGE HEUPEL: Let me ask, are you going to submit those, sir?

MR. MANESS: Those are submitted right at this moment.

JUDGE HEUPEL: Great, thank you.

MR. MANESS: I've got a little problem with low flights. I lost a tank a few years ago due to the low level flights causing the water to vibrate and bust a stock tank for me. These flights are still continuing, they're not as low as they were, but when you start getting down at a hundred foot coming across my house and tearing up my property, I'm going to get a little hot, and that IR-133 area is the area. Not only does it affect my house, it affects my other property around

the house, it affects my livestock, and it affects me.

So I get a little unhappy when I see a jet coming across my property, and I've got neighbors that feel exactly the same way. So I think you better look at that low flying area real close. I'm a little unhappy with it and have been for quite a few years. The fact is, I've threatened to shoot down a few of them, much as I'd dislike to, but I will. Because it does affect me more ways than one. And I don't like low flying airplanes anyway. That's all I've got to say.

JUDGE HEUPEL: Okay, thank you, sir. The only thing that I would say is I've heard some people express that before, shoot one of them down. And I guess I would have to, perhaps it's the judge in me, but caution folks that not only would that be a federal offense, but you know what would concern me is if somebody decided to take a shot at an airplane and it hit, it might just go into your neighbor's house. And I would have a hard time living with myself if I were to do something like that and ended up killing my neighbors.

So I hope that -- I'd hope even -- I understand how upset you can be, but I hope that people not use that expression or entertain that scenario in reality because there's two different aspects of it I wouldn't want to deal with as a judge. I'm sorry for the editorial comment, but I feel constrained to say that.

Okay, let me shuffle some more. James Hayes. Mr.

Hayes, I'm sorry, but I would appreciate it if you --

MR. HAYES: That's all right, we can make it, for this we'll make it. My name, as you heard, is James Hayes. My major concern is the area, the flight area north of the Carrizozo airport, getting up to where we can finally get off and away from the military operating zones. Now listening to numbers the Colonel had, it looks to me like you're talking about three operations a day minimum, is that somewhere near right? Well, I'm not supposed to ask questions. All right, fine.

You're talking about 100 foot elevations VFR, 200 feet on radar, that seems to be awfully, awfully low in a VFR corridor, which is what we have there, is a VFR corridor. It looks to me like we've got a real safety problem. If you're a private pilot flying out of the Carrizozo airport, your chances CZ-8 of being a target of opportunity for the German Air Force guy is going to be pretty damn good. On top of that, if he's just flying long and he can't see you, you've got a very good chance of a midair collision. So I see that as a real hazard.

I think there's, God only knows how many acres of land on the White Sands Proving Missile Range that can be used for these things. I see no point in going into expanding, and really that's what it amounts to, to me you're expanding the military operation areas in the areas that the civilian airplanes really need. I can sympathize with the gentleman

with his concept, but I can also understand why that's not a good idea.

The problem I see, you probably have had five or six meetings like this in the past, nothing seems to be accomplished, the civilian side of this just doesn't seem to be heard. I think what we do, we passify the civilians in the world, the taxpayers, if you will, and we passify them by listening to them but we really don't do anything, we do what the Air Force wants to do anyway and that's a real problem for me. To me this is still a government of the people, by the people and not by the Air Force. Done.

JUDGE HEUPEL: Sir, do I recall your comment when you were asking the question earlier that, I mean you may have said it, but part of your concern is about the ability for private pilots to be able to get out of the airport here?

MR. HAYES: What's happening now, right. The routes that I saw depicted on the chart, you're going to be, you're going to have two routes that are going to be right on the corridor that the VFR pilot leaving the Carrizozo airport has to use. He has to go to Corona, then go east or west or north from there. And we're restricted by some hills and some other goodies there, but now we're going to be doubly alert for German Air Force operations. And if the three a day number holds true, that could get real serious.

JUDGE HEUPEL: I just wanted to make sure it was

clear on the record, part of what your concern was and what you had to do, when they look at it and why you've got the concern. In other words, as you're saying you have to go to Corona.

MR. HAYES: Well, to leave the Carrizozo airport you basically have to go to Corona or somewhere very close to Corona to go east or west or north. You're severely restricted in getting there, you really fly basically up the highway.

JUDGE HEUPEL: Thank you, sir.

MR. HAYES: You're sure welcome, thank you.

JUDGE HEUPEL: William Wrye.

MR. WRYE: I guess I dropped that card out there, I knew I had one. I live about 46 miles northwest of here and the area that you have on that map there doesn't really affect me except that there'll be more planes flying up our way. And I've had them fly right over our house, not, in fact they have to raise up to get over the high lines.

And one time last year I was in the barn shoeing a horse and they flew over the plane -- the plane flew over the barn so low that it scared the horse and he knocked me down and I rolled out in the corral and I got up and looked and he was going on, a little smoke going on and it broke the sound barrier.

And I called White Sands about it and talked to them and they said well, you just get the number of the plane why

we'll -- (laughter from the crowd). Well, I couldn't even tell what kind of plane it was, it was gone. But I don't like, I'm like the gentleman that spoke there while ago, I don't like those planes flying so low. Now about a week ago I was riding up in my east pasture and there's a little hill there. I saw a plane coming and I got up on the hill and he just pulled over enough to miss me and went in a little valley between and oh, maybe 50 feet high, lower than I was and I could see the top of the plane.

Well, he was flying too low and he flew right over our house. My wife said he flew right over our house, scared the dogs to death. I don't know if he broke the plaster or not, but it's broken, but that's the main thing my concern is, these low flying airplanes. And I think they need to be admonished to stop them from doing that. The general at White Sands said well, get the number if you can. Well, I can't even tell what kind of plane it is it goes by so fast. And another thing, he said well, some of those planes are not ours, they come from Holloman. Well, I don't know where they come from, but I know one thing, they fly too low. That's all I have to say.

JUDGE HEUPEL: Thank you, sir. Let me -- Colonel Hargarten gave it out before, but this has come up at some other hearings and the Holloman Air Force Base Public Affairs office is, if you've got problems, encouraging you to call

them. Let me repeat the phone number that Colonel Hargarten gave out earlier, because you may have more success talking with them.

I think we all understand that you don't really know what base any particular airplane came from and you may well not know what kind of airplane it is and they'll try to sort it out. It's area code 505-475-5406. And that is listed at the top of this one handout that's got all the libraries that the EIS was sent to. But if you try calling that, when you've got some problems try calling that number, they're indicating they're sure going to do their darndest to find out the information and get back to you.

MS. FULTON: Oh, yeah, they sure do, we never hear from them.

JUDGE HEUPEL: So that's at least a, all I can say is that may be a start to --

MR. WRYE: Several of my neighbors have done that and they didn't get any response at all. They still fly over the same way.

MS. FULTON: And they won't admit receiving your phone calls.

JUDGE HEUPEL: Well, all I can tell you is I've been assured that Holloman is going to be working this thing hard. I can't tell you more than that, and I'm not from Holloman, but we've heard some of these complaints in other

places and I know some people called Clovis and I've heard of people calling other places and what I have heard is some people calling Holloman and it's taken a while to work things, but try to get back. Now will that stop the flights? I can't address that, but at least if something's happening that you don't think ought to be happening, I just want to repeat that phone number that Colonel Hargarten gave out.

Okay, I've got four cards left here. Wally Ferguson.

MR. FERGUSON: I'm Wally Ferguson and I live west of Carrizozo. I have a couple of questions about the environmental impact. Do you have identifiable areas of noise level that is unacceptable for human beings, does somebody have that, you can -- somebody else can do that in the final EIS? And also, do you have monitors in any of these flight path areas that would establish this.

The other comment, you mentioned while ago that there would be no livestock damage by any of these and what guides do you have on this? Mr. Wrye said that he had some damage and we've had other damage, so we need something to establish there what is, when you say there's no livestock damage we need to know a little better monitor on that, because there is some in that area.

Also the third thing I'd like to ask about is, if an area became available outside of the Missile Range or the areas

now, would you have new target areas, would you establish new target areas? Is NATO, are you committed to NATO enough that you need to have some regardless? I think that's all of the questions I have.

Oh, the one thing in all of the, the other hearing or the comment period that you had, we're not addressing our own aircraft, you're addressing the foreign aircraft and we have a large amount of our own aircraft, combination there. You addressed the fact that it won't increase that much. Well, we don't know what that much is when we already have some. We need a standard there. Thank you.

JUDGE HEUPEL: Thank you, sir. Jerry Carroll.

MR. CARROLL: My name's Jerry Carol, I live in Oscura. I've been overflown by almost everything that you've got out there, including a Russion helicopter KA-27 Helix, even got the numbers off of it, we still don't know why he was there, especially when he came back at 11:45 at the same altitude, about 75 feet. However, I want to thank the Air Force, they have significantly reduced the overflights over my northeast corner of Oscura townsite, I appreciate it, I really do.

And the Air Force, we have no problem with, the occasional overflights that they make or that the law enforcement people make, we have no problem with. But these Germans, you're not in control, even, they have significantly

reduced their overflights also, but just today they had one from the northeast to the southwest. He was legal but these aircraft are named Tor-nay-dos, not Tor-na-dos for a reason, they're exceedingly noisy. And we would like to make sure that they do not fly too low. If they stay out on the range, if they stay away from civilian population, I don't think anybody has any problem with them coming in or training.

I like the German people, I think that some of them will probably become American citizens from coming over here. I've talked to a lot of them at gun shows and other places and they're fine folks, they're just like us. But what we do not want is for them to disregard our laws, or flight areas, our airspaces. And to that effect we've got a petition to the U.S. Congress, it's to Congressman Honorable Joe Skeen.

It says, "We the people are petitioning for legislation that will restrict all aircraft to above 1,000 AGL, above ground level, over all private and public property, excluding approaches to airports inflight and medi-vac aircraft emergencies and present military restricted airspace. Military ranges are not to be expanded without local community approval. Pilots violating this legislation shall be accountable to civil authority. All aircraft flying in the above mentioned airspace shall be clearly marked under the wing and both sides as to the aircraft, as to the country of origin, branch of service and clearly numbered", which they are

not.

The only way that we can get a number off of them is if we have part of the equipment. And I think the Judge said that's not the way to go with this.

To that point, I have posted my private property, northeast corner of Oscura townsite as no tresspass. And it says,"Notice of Foreign Law on Private land." It says, "Read before entering: You are hereby noticed that entering this land or airspace, AGL 1500, subjects you to this contract." Excuse me, I've got to see this. "This land and airspace, hereinafter is referred to as simply this land, is private, and is not subject to public use or control. The owner has the character *suae potestate esse*." I cannot pronounce it, thank you, judge, anyway, I appreciate your help.

"Over this land flies the American banner of peace and the law thereon is the Holy Scriptures, and the Christian lex non scripta. The owner has enacted other various ordinances, to which all who enter this land are subject. Among these ordinances is a $5,000 land use fee, charged per man or woman, per day or any part of a day, for any man or woman (hereinafter, lessee) entering upon this land without prior written license in his possession at all times while on this land.

Acceptance of all ordinances shall be evidenced by the presence of any man or woman upon this land, not in

possession of said license and shall create a constructive lease agreement, binding lessee to the terms of all ordinances which the owner has laid upon this land. Said fee shall be deemed due and payable in full within 30 days from the first notice, and payment shall be made in silver coin at full face value.

Lessee hereby agrees that if payment of said fee becomes delinquent, that said amount shall become a lien upon all of lessee's non-exempt property. Any property brought onto this land by lessee is subject to impound until settlement is made in full. Other ordinances are in effect upon this land, to which all who enter are subject, unless exempted by license. A complete list of ordinances may be obtained from the owner.

Ignorance of the law shall not be an excuse, nor shall it relieve any person from liability therefor. Notice is hereby given that any license, lease, or right of usage may be revoked with five minutes notice. Revocations shall not relieve anyone from liabilities already incurred. Verbal invitees given five minutes grace as to fee only.

This is notice to agents of government. By entering this land, you accept all of the above stated terms in full. Additionally, you affirm both individually and in your official capacity under penalty of perjury, under the laws of these United States of America (Title 28 U.S.C. Sec. 1746) that you

will support the constitution of these United States of America and the constitution for this republic, and all the laws promulgated thereunder in conformance with the above named constitutions and will extend and protect the unalienable rights assured therein to the owner, and those under his protection, and will faithfully perform all the duties of your office as it relates to them, in compliance with the above constitutions to which you acknowledge that you have already taken an oath to perform said acts or actions to the best of your ability.

Violations of the rights of the owner, or those under his protection, shall be assessed a civil penalty of one million dollars in silver coin for each violation. Damages may also be prosecuted under Title 18 U.S.C. 1621 and Sec. 241 and Title 42 U.S.C. Sections 1986, 1985 and 1983, resulting in up to ten years in prison and additional civil penalties.

The owner may be contacted by sending correspondence to the following location, that's P.O. Box 746, Carrizozo, New Mexico 88301." And sir, I thank you.

JUDGE HEUPEL: Thank you, sir. Would you like to submit that?

MR. CARROLL: Yes, sir.

JUDGE HEUPEL: Or both of those?

MR. CARROLL: These for the record, besides that I couldn't pronounce that.

JUDGE HEUPEL: Okay, thank you, sir. Two cards left, I don't know who is where, so I'm going to just turn this over. Floyd William Hornback.

MR. HORNBACK: My name is Floyd William Hornback, Alamogordo. "I, Floyd William Hornback, being first duly sworn according to law, having firsthand knowledge of the facts herein and being competent to testify, do affirm that the facts herein are stated by the plaintiff, and are true, correct and complete, stated under penalties of perjury pursuant to the laws of the United States of America.

Know all men by the presents, brings this notice for the people of these United States of America and for the County of Lincoln under the American flag of peace, without attorney, ex rel, now defines and states: **Ex rel.**: For the people of the United States defined. . . But it is the manner of enforcement which gives Title 42 U.S.C., (which is the United States Code), Section 1983 its unique importance, for the enforcement is placed in the hands of the people.

Each citizen acts as a private attorney general who takes on the mantle of the sovereign, guarding for all of us the individual liberties enunciated in the constitution. Section 1983 represents a balancing feature in our government structure whereby individual citizens are encouraged to police those who are charged with policing us all. Thus, it is of special importance that suits brought under this statute be

resolved by a determination of truth.

You all have sworn an oath of office to support and defend the constitution and the laws of this state and these United States. Having taken such oath before a competent tribunal, officer or person authorized to administer such oaths, any breach thereof may constitute a liability to you in both your individual and official capacity of which you may, by a breach, waive any immunities to suit therefore.

A breach may constitute a false swearing to your oath and is a violation of the constitution of these United States and of Article XX, Section 1 of the constitution of the State of New Mexico, and constitutes perjury. This perjury is a violation of Title 18 U.S. Code Section 1621, and may possibly be considered a conspiracy under Title 18 U.S.C. Sections 242, for the deprivations of those rights as secured to the citizens under the constitution of these United States of America.

Title 42 U.S.C.A., (U.S. Code Annotated) Section 1986, action for neglect to prevent. Every person who having knowledge that any of the wrongs conspired to be done and mentioned in Title 42 U.S.C.A. Section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing of the commission of the same, neglects or refuses to do so, if such wrongful act be committed, they shall be liable to the party injured, or person's legal representatives, for all damages caused by such wrongful act thereon.

Title 42 U.S.C.A. Section 1985 conspiracy to interfere with civil rights. Two sections before, and I will continue in, are, if two or more persons conspire for the purpose of impeding, hindering, obstructing or defeating, in any manner, the due course of justice in any state or territory with the intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws.

And going to Title 42 U.S.C. Section 1983, deprivation of rights, every person who, under color of any statute, ordinance, regulation, custom or usage of any state or territory or the District of Columbia, subjects or causes to be subjected any citizen of the United States, or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

You are hereby noticed pursuant to Title 42 U.S.C.A. Section 1986, for knowledge of the law, as to your high standards of law, and as witness, that any neglect to prevent constitutional wrongs from injuring these citizens, that if such negligent proximately causes damage it will give rise to an action in tort, further, be advised by acting in concert with others, this may be construed as conspiracy under Title 42

U.S.C.A. Section 1985.

Fraud is an intentional perversion of truth, for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. False representation of a matter of fact, whether by words or by conduct, by false or misleading allegation or by concealment of that which should have been disclosed, which deceives and is intended to deceive another, so that he shall act upon it to his legal injury. Bad faith and fraud are synonymous.

Title 18 U.S.C. Section 872, extortion by officers and employees of the United States. Whoever, being an officer or employee of the United States or any department or agency thereof, or representing himself to be assuming to act as such, under color or pretense of office or employment commits or attempts to commit an act of extortion, shall be fined under this title with imprisonment not more than three years, or the fine which I didn't relate.

Air rights, important situation in this time, air rights is defined, the right to use all or a portion of the airspace above real estate. Such right is vested by grant; for example fee simple, lease or other conveyance. While commercial airlines do have a right to fly over ones land, if such flight paths interfere with the owner's use of such land, the owner is entitled to recover the extent of actual damages

suffered by him.

Posting, that's in connection with trespass statutes. The act of placing or affixing signs on private property in a manner to give notice of the trespass.

Trespass, an unlawful interference with one's property, person or rights. An unauthorized intrusion or invasion of private premises or land of another. Criminal trespass is entering or remaining upon any land by one who knows he is not authorized or privileged to do so. Intrusions upon, beneath and above surface of land. One, except as stated in subsection 2, a trespass may be committed on, beneath or above the surface of the earth. No. 2, flight by aircraft in the airspace above the land of another is trespass, if and only if it enters into the immediate reaches of the airspace next to the land. And B, if it interferes substantially with the owner's use and enjoyment of his land.

Trespass with force and arms. Common law action for damages for any injury committed by the defendant with direct and immediate force or violence against the plaintiff or his property."

JUDGE HEUPEL: You've got two minutes left.

MR. HORNBACK: Thank you, sir. "Liability for intentional intrusions of land. One is subject to liability to another for trespass, irrespective of whether he thereby causes harm to any legally protected interest of the other, if he

intentionally enters land in possession of the other, or causes a thing or third person to do so.

Any person or persons having knowledge of these facts and who has fiduciary duty to act in a reasonable manner to either prevent or correct the wrongs taking place or having the power to prevent or aid to prevent the commission of the same, shall be liable to the plaintiff or his legal representatives for any and all damages caused or incurred by such wrongful acts, actions, inaction or omission, which such person could have, by reasonable diligence prevented, may be joined pursuant to Title 42 U.S.C.A. Sections 1986, 1985 and 1983, in any action taken as a result of these wrongs.

Any complaint for damages can be filed under the American flag of peace of the United States of America. And I'd like to have this filed as record. If it would be all right, I'd like to submit this tomorrow at the Alamogordo meeting or would it matter?

JUDGE HEUPEL: It doesn't really matter, if you'd like to submit that, I'll be happy to take it at this time. However, I will make a distinction, it's submitted for the record of the EIS, but you used the term filing and as a judge, I would just say it is not a filing but it is a submission.

MR. HORNBACK: Submission. It is considered constructive notice. Thank you, sir.

JUDGE HEUPEL: Thank you.

MR. HORNBACK: And as my own opinion, I stand in the support of the no action alternative, I also oppose any aircraft controlled and piloted by foreign personnel sworn to uphold the UN Charter, this is in writing.

JUDGE HEUPEL: Thank you. Glen Howard.

MR. HOWARD: My name is Glen Howard. I live in White Oaks, which is outside of Carrizozo. I wish to address the noise problem in some more detail. In the preliminary EIS, I guess that's what it's called, yeah EIS, you addressed the noise problem in some detail, going into the rather mundane, rather low level noise problem, which is really of no consequence except to some environmental whackos who might want pristine quietness in a wilderness area.

The real problem is those impulses, those unexpected loud noises, those loud blasts, I guess as you might say, that Z-14 occur when you get a low pass and that has been addressed a couple of times here and addressed extensively in other meetings. And that problem is not sufficiently addressed here, it's included in the overall noise description, but you included it in the averaging and that really disguises the basic problem, that is those loud noises and they should be identified not as an average, but simply as peak levels. Those Z-15 are the quantities of measurement, the quantities that should be expressed.

In your EIS here, you have a chart which describes

the sound level in a discotheque as 110 DB. And you, lovely lady there, expressed the 108 DB as the noise level of a Tornado at 100 hundred feet. I'm suspicious of those levels, I think they're optimistically low. When we hear an individual describing a stock tank being disrupted and other effects, 108 DB doesn't sound high enough. And I am going to refer to your CZ-15 EIS again and read a statement here, only sounds lasting more than one second above a sound level of 130 DB. 130 DB are potentially damaging to structural components.

Going on to the next paragraph, this is on Page C17, one finding in that study is that sound levels at damaging frequencies, this is structural damaging, by the way, e.g. 30 hertz for wreckage of and blah, blah, blah, are fairly above 130 DB, suggesting indeed it does happen. His stock tank suggests you are approaching 130 DB.

Now, let me remind you, if my calculations are correct, a discotheque at 110 DB, we all know what is happening to our children when they go to those discotheques, they're losing their hearing. Realize now that 130 DB is something CZ-16 like 60 to 100 times more intense than that. And this suggests the possibility that this one level, this one blast might have even potential hearing damage to those on the ground who are in that immediate vicinity.

That would be really the major consequence that we should be concerned about, I suppose if the military is willing

to compensate for property damage, why that, the property damage is probably not the major consequence, but at 130 DB we're talking about damage to our hearing, I suspect. Just like would be the case, one shot might cause permanent hearing damage, just as one shot from a rifle, high powered rifle shot next to your ears might cause permanent hearing damage.

Z-16

So anyway, you should be looking, I suspect another speaker here mentioned sound level meters, actually run some tests and see if those, just how high levels you are getting.

Now, realize that this happens when the jet comes right over your house. There's a second problem that no one has addressed, Jerry just mentioned it briefly, when you have that jet coming over that close, I raise the question, what are the RF levels, the radio frequency levels from the radars and such, assuming you use them, I don't know, maybe you don't use them. But if you do, those are of a pulse nature and could be very, very intense.

Z-17

And again, it's a one shot situation, but a one shot, I'm sure you are all, all required not to stand in front of those radars when they're being tested. And obviously the only time that you have a problem is when that jet is coming right over you, and when you're on the front end of it. But it's a question. Perhaps it has been addressed, perhaps not. It's something you won't feel. We all can feel that noise, but we don't feel the effects of a radar pulse.

So that's just a matter of making the measurements and in fact the theoretical data should be available to see if it has any potential for biological damage. Thank you.

JUDGE HEUPEL: Okay, thank you, sir. That's all the cards that I've got. I was going to say and I think you may have come in late, but I was going to say is there anybody else who hasn't spoken, who does have some comments? Sir, if you'd come down here and if you'd state your name, please.

DR. FULTON: Thank you, sir. Dr. C.L. Fulton. In what Glen Howard has just presented to you, it's obvious that I have hearing aids in both ears. Having been at Air Force installations for well over 29 years, around jet aircraft, the noise that we hear is very damaging, however it's the frequencies that we don't hear that destroy the hearing senses, the hearing fibers, this comes both from intake and exhaust of jet engines.

This was verified and confirmed to me at Wright Patterson at the medical labs there when I was in flight test groups there at Wright Patterson. So this gentleman's told you what noise levels, I wanted to instill that it's the frequencies that we don't hear that also adds to severe ear damage. This is one of the reasons why I have hearing aids. I'm also a veteran on total disability, but thank you.

JUDGE HEUPEL: Thank you, sir. Is there anyone else who hasn't spoken who would like to make a comment? It

appears not. I do want to thank all of you for your comments. You've raised some questions here tonight as well that have not been raised at some of the other hearings and we appreciate your concern and I understand, and I understand from some of the people, from quite a few of the people at the different hearings who have some similar concerns and particularly with the low level flights, and your input is very helpful.

I do encourage you, if you didn't make comments, or even if you did and would still like to, to go ahead and send any additional comments in, remembering that they need to be received by the 4th of August at Langley and that address is at the bottom of the comment sheet. So thank you very much for coming out tonight, the hearing is adjourned.

(Hearing adjourned at approximately 9:10 PM.)

STATE OF NEW MEXICO)
) ss Reporter's Certificate
COUNTY OF OTERO)

I, R. JAN WIMBERLY, CCR No. 13 within and for the State of New Mexico, do hereby certify that the foregoing and attached Transcript of Proceedings of the Public Meeting held July 11th, 1997, at 6:00 o'clock P.M., was reported by me, and that the transcript is a true and accurate record of the meeting to the best of my knowledge, skill and ability.

R. Jan Wimberly, CCR No. 13

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

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Sue Maness	PO Box 115	Corona, NM 88318
Edith Malcolm	Box 582	Capitan
Jim Malcolm	" "	"
Charles M Blevins	St. Rt. 2 Box 38	Carrizozo NM 88301
HARVEY W. SAYTON	P.O. Box 743	Carrizozo NM 88301
JAMES HAMES	PO Box 587	Carrizozo 88301
ALICE EPPERS Staff Joe Shew - Roswell		
REV WILLIE MAE FULTON	P.O. Box 9	CARRIZOZO, NM. 88301
PATSY SANCHEZ (Lincoln Co)	P.O. Box 711	" "
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Guillermo McDaniel	Box 208 Carrizozo	N.M. 88301
Duncan Blevins	Box 749 Carrizozo,	NM 88301
Dorothy M. Ewart	St. Rt. Hc 31, Box 70 Carrizozo,	N.M. 88301
Lillie D. Ewart	St. Rt. Hc 31, Box 70, Carrizozo	N.M. 88301
Judith M. Blevins	St. Rt. 2 Box 38 Carrizozo	N.M. 88301
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GLEN W HOWARD	STAR RT 2 Box 49 CARRIZOZO	NM 88301
BECKY HOWARD	ST. RT. 2 BOX 49 CARRIZOZO	NM. 88301
JERRY CARROLL	PO Box 246 CARRIZOZO	NM 88301
Frank C Brooks	PO 749 "	" 88301
Barbara Cullen	P.O. Box 881 Carrizozo	NM 88301
Rev. Dr. C. L. Fulton	P.O. Box 9 Carrizozo	NM 88301

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PLEASE PRINT NAME GLEN W. HOWARD

MAILING ADDRESS STAR RT 2 BOX 49
STREET, P.O. BOX, OR ROUTE & BOX

CARRIZOZO, NM 88301
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

- [X] CHECK IF YOU WANT TO SPEAK
- [ ] CHECK IF YOU WANT A COPY OF THE FINAL EIS

PUBLIC HEARING ATTENDANCE RECORD

DATE 7/11

PLEASE PRINT NAME Floyd William, HORNBACK

MAILING ADDRESS C/O PO BOX 1586
STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) New Mexico Justice Council, Self

- [ ] CHECK IF YOU WANT TO SPEAK
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PUBLIC HEARING ATTENDANCE RECORD

DATE 07/11/97

PLEASE PRINT NAME LLOYD MANESS

MAILING ADDRESS BOX 337
STREET, P.O. BOX, OR ROUTE & BOX

CORONA, NM 88318
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) NEW MEXICO WOOL GROWERS, INC.

- [X] CHECK IF YOU WANT TO SPEAK
- [ ] CHECK IF YOU WANT A COPY OF THE FINAL EIS

PUBLIC HEARING ATTENDANCE RECORD

DATE 7/11

PLEASE PRINT NAME WILLIAM WRYE

MAILING ADDRESS BOX 394, RINEHART, ROUTE
STREET, P.O. BOX, OR ROUTE & BOX

&
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

- [X] CHECK IF YOU WANT TO SPEAK
- [X] CHECK IF YOU WANT A COPY OF THE FINAL EIS

NEW MEXICO WOOL GROWERS RESOLUTION

A RESOLUTION OPPOSING LOW LEVEL TRAINING FLIGHTS OVER WEST TEXAS AND EASTERN NEW MEXICO

Whereas, the U. S. Air Force is proposing low level training flights of approximately one hundred feet above the areas of west Texas and Eastern New Mexico; and

Whereas, these low level flights will adversely affect the environments of this region; and

Whereas, these low level flights will adversely impact public land permittees and lessees and private land owners who use these lands for grazing; and

Whereas, these low level flights will adversely impact recreational use of the land area; and

Whereas, the low level flights will adversely impact the economy of the region and States of New Mexico and Texas.

Therefore be it Resolved the membership of the New Mexico Wool Growers oppose low level flights over west Texas and Eastern New Mexico.

Done this 11th day of July, 1997 at the 1997 annual convention.

Signed:

Scott McNalley, President

NEW MEXICO WOOL GROWERS RESOLUTION

A RESOLUTION OPPOSING THE USE OF THE WEST OTERO MESA ON MC GREGOR RANGE FOR GERMAN BOMBING PRACTICE

Whereas, the U. S. Air Force is proposing using the West Otero Mesa on the Mc Gregor Range for German Air Force bombing practice ; and

Whereas, use of the this land area will adversely impact the environment of the Mc Gregor Range; and

Whereas, use of this land area will adversely impact public land permittees and lessees who depend on these lands for grazing; and

Whereas, use of this land area for bombing practice will adversely impact recreational use of the land area; and

Whereas, *the conversion of this land to bombing practice will adversely impact the economy of* Otero County, the surrounding region and State of New Mexico.

Therefore be it Resolved the membership of the New Mexico Wool Growers oppose the use of the West Otero Mesa of the Mc Gregor Range for bombing practice by the German Air Force.

Be it further Resolved the membership of the New Mexico Wool Growers oppose the use of American facilities and lands for the training of foreign troops.

Done this 11th day of July, 1997 at the 1997 annual convention.

Signed:

Scott McNalley, President

A PETITION TO THE U.S. CONGRESS

TO CONGRESSMAN HONORABLE JOE SKEEN

WE THE PEOPLE ARE PETITIONING FOR LEGISLATION THAT WILI RESTRICT ALL AIRCRAFT TO ABOVE 1,000 FEET AGL {ABOVE GROUNI LEVEL} OVER ALL PRIVATE AND PUBLIC PROPERTY. EXCLUDING: APPROACHES TO AIRPORTS; INFLIGHT AND MEDI-VAC AIRCRAFT EMERGENCIES; AND PRESENT MILITARY RESTRICTED AIRSPACE. MILITARY RANGES ARE NOT TO BE EXPANDED WITHOUT LOCAL COMMUNITY APPROVAL.

PILOTS VIOLATING THIS LEGISLATION SHALL BE ACCOUNTABLE TO CIVIL AUTHORITY.

ALL AIRCRAFT FLYING IN THE ABOVE MENTIONED AIRSPACE SHALL BE CLEARLY MARKED UNDER THE WING AND BOTH SIDES OF THE AIRCRAFT, AS TO COUNTRY OF ORIGIN, BRANCH OF SERVICE AND CLEARLY NUMBERED.

NAME STREET/PO-BOX CITY STATE ZIP CODE

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
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16. _____
17. _____
18. _____
19. _____
20. _____

No Trespass

Notice of Foreign Law, on Private Land; Read before entering:

You are hereby noticed that entering This land or airspace (a.g.l. 1500 ft.) subjects You to This contract:

This land and airspace (hereinafter is referred to as simply This land) is private, and is not subject to public use or control. The Owner has the character *suae potestate esse*. Over This land flies the American Banner of Peace, and the Law thereon is the Holy Scriptures, and the Christian *lex non scripta*. The Owner has enacted other various ordinances, to which all who enter This land are subject. Among these ordinances is a

Five thousand dollar Land use fee,

charged per man or woman, per day or any part of a day, for any man or woman (hereinafter, "Lessee") entering upon This land without prior written license in his possession at all times while upon This land. Acceptance of all ordinances shall be evidenced by the presence of any man or woman upon This land, not in possession of said license, and shall create a constructive lease agreement, binding Lessee to the terms of all ordinances which the Owner has laid upon This land. Said fee shall be deemed due and payable in full within thirty days from first notice, and payment shall be made in silver coin, at full face value. Lessee hereby agrees that if payment of said fee becomes delinquent, that said amount shall become a lien upon all of Lessee's non-exempt property. Any property brought onto This land by Lessee is subject to impound until settlement is made in full. Other ordinances are in effect upon This land, to which all who enter are subject, unless exempted by license. A complete list of ordinances may be obtained from the Owner. Ignorance of the Law shall not be an excuse, nor shall it relieve any person from liability therefor. Notice is hereby given that any license, lease, or right of usage may be revoked with five minutes notice. Revocations shall not relieve anyone from liabilities already incurred. Verbal invitees given five minutes grace as to fee only.

Notice to agents of government:

By entering this Land you accept all of the above stated terms in full. Additionally, you affirm both individually, and in your official capacity, under penalty of perjury, under the laws of these united States of America (Title 28 U.S.C. Sec. 1746), that you will support the Constitution of these united States of America and the Constitution for This republic, and all the laws promulgated thereunder in conformance with the above named Constitutions and will extend and protect the unalienable rights secured therein to the Owner, and those under His protection, and will faithfully perform all the duties of your office as it relates to Them, in compliance with the above Constitutions to which you acknowledge that you have already taken an Oath to perform said acts or actions to the best of your ability. Violations of the rights of the Owner, or those under His protection, shall be assessed a civil penalty of one million dollars in silver coin for each violation. Damages may also be prosecuted under Title 18 U.S.C. 1621 and Sec. 241 and Title 42 U.S.C. Sections 1986, 1985, and 1983, resulting in up to ten years in prison, and additional civil penalties.

The Owner may be contacted by sending correspondence to the following location:

P.O. Box 746
Carrizozo, New Mexico 88301

CONSTRUCTIVE NOTICE

I, _____ (hereinafter Plaintiff), being first duly sworn according to law, having first hand knowledge of the facts herein, and being competent to testify, do affirm that the facts herein are stated by the Plaintiff, and are true, correct, and complete, stated under penalties of perjury pursuant to the laws of the United States of America.

Know all men by these presents, _____, brings this Notice for the people of these united States of America, under the American flag of peace, without an attorney, ex rel. now defines and states:

Ex rel.: for the people of the united states defined: "...But it is the manner of enforcement which gives Title 42 U.S.C. 1983 its unique importance, for the enforcement is placed in the hands of the people." Each citizen, "acts as a private attorney general who takes on the mantle of the sovereign, guarding for all of us the individual liberties enunciated in the Constitution." Section 1983 represents a balancing feature in our governmental structure whereby individual citizens are encouraged to police those who are charged with policing us all. Thus, it is of special importance that suits brought under this statute be resolved by a determination of truth." Wood v. Breier, 54 F.R.D. 7, (1972)

1) You have sworn an oath of office to support and defend the Constitution and the laws of this State and these united States, and having taken such oath before a competent tribunal, officer, or person authorized to administer such oaths, any breach thereof may constitute a liability to you in both your individual and official capacity of which you may by a breach, waive any immunities to suit therefrom.

2) A breach may constitute a false swearing to your oath and is a violation of the Constitution of these united States and of Article XX, Section 1 of the Constitution of the State of New Mexico and constitutes perjury. This perjury is a violation of Title 18 USC section 1621, and may possibly be considered a conspiracy under Title 18 USC sections 242, for the deprivations of those rights as secured to this Citizen under the Constitution of these united States of America.

3) Title 42 USCA sec 1986 **"Action for neglect to prevent"**, Every person who having knowledge that any of the wrongs conspired to be done, and mentioned in Title 42 USCA sec 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or persons legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in action. (42 USCA sec 1986 is derivative of sec 1985 and provides remedy for persons injured by neglect or refusal of those having power to do so to prevent wrongs specified in sec 1985).

4) Title 42 USCA sec 1985 **"Conspiracy to interfere with civil rights"** (1) ... (2) ... or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; (3) Depriving persons of rights or privileges. If two or more person in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person (or class of persons) of the equal protection of the laws, or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws;...whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the united States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

5) Title 42 USCA sec 1983 **"Deprivation of Rights"**. Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory of the District of Columbia, subjects, or causes to be subjected, any citizen of the united States, or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

6) You are hereby noticed pursuant to Title 42 USCA section 1986, **for knowledge, of the law**, as to your high standards of the law, and as witness, that any **"Neglect"** to prevent constitutional wrongs from injuring this Citizen, that if such neglect proximately causes damage it will give rise to an action in "tort", further, be advised by acting in concert with others, this may be construed as conspiracy under Title 42 USCA sec.1985.

7) **FRAUD**; An intentional perversion of Truth, for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right; a false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury. A generic term, embracing all multifarious means which human ingenuity can devise, and which are resorted to by one individual to get advantage over another by false suggestions or by suppression of truth, and includes all surprise, trick, cunning, dissembling, and any unfair way by which another is cheated. " Bad Faith" and "Fraud" are synonymous ...

8) **Title 18 USCA sec 872**; Extortion by officers or employees of the United States. Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than 3 years, or both; ...

9) **Air Rights**: The right to use all or a portion of the air space above real estate. Such right is vested by grant; e.g. fee simple, lease, or other conveyance. While commercial airlines have a right to fly over ones land, if such "flight paths" interfere with the owners use of such land, the owner is entitled to recover the extent of actual damage suffered by him. United States v. Causby, 328 U.S. 256, 66 S. Ct 1062, 90 L.Ed. 1206. B.L.D. 6TH Ed

10) **Posting.** In connection with trespass statutes. The act of placing or affixing signs on private property in a manner to give notice of the trespass. BLD 6th Ed

11) **Trespass.** An unlawful interference with one's person, property, or rights... Any unauthorized intrusion or invasion of private premises or land of another;... **Criminal trespass** is entering or remaining upon or in any land, ... by one who knows he is not authorized or privileged to do so; ... **Intrusions upon, beneath, and above surface of land.** (1) Except as stated in subsection (2), a trespass may be committed on, beneath, or above the surface of the earth. (2) Flight by aircraft in the air space above the land of another is trespass if, but only if, (a) it enters into the immediate reaches of the air space next to the land, and (b) it interferes substantially with the other's use and enjoyment of his land...., **Trespass with force and arms**. The common-law action for damages for any injury committed by the defendant with direct and immediate force or violence against the plaintiff or his property;.... **Liability for intentional intrusions of land.** One is subject to liability to another for trespass, irrespective of whether he thereby causes harm to any legally protected interest of the other, if he intentionally (a) enters land in the possession of the other, or causes a thing or a third person to do so, or (b)... (c) ... BLD 6th Ed

Any person or persons having knowledge of these facts and who has fiduciary duty to act in a reasonable manner to either prevent or correct the wrongs taking place or having the power to prevent or aide to prevent the commission of the same, shall be liable to this Plaintiff or his legal representatives for any and all damages caused or incurred by such wrongful acts, actions, inaction, or omission, which such

person could have by reasonable diligence prevented, may be joined pursuant to Title 42 USCA sections 1986, 1985, and 1983 in any action taken as a result of these wrongs.

Any Complaint for damages will be filed under the American Flag of Peace of the united States of America. No jurisdiction under any American flag of war will be accepted.

Hereinafter: U.S.C.A.= *United States Code Annotated*
N.M.S.C.= New Mexico State Constitution
BLD 6th Ed = Black's Law Dictionary
Disguise = Without Oath by perjury without protection
Citizen = Man, not as an Official

Respectfully Submitted for Notification,

_____

Before me, a Notary Public, appeared _____, and did affirm and subscribe hereto on this _____ day of _____, 1997.

My commission expires,

Notary

CERTIFICATE OF SERVICE

A true and correct copy of this CONSTRUCTIVE NOTICE was served personally or by Certified U.S. Mail to the following :

Lt.Col. D. Hargarten
Holloman AFB. NM

Ms. Sheryl Parker
Headquarters Air Combat Command/CEVA
129 Andrews Street
Langley AFB, VA 23665-2769

Notice to the Agent is Notice to the Principle.

SECTION 6.0

ALAMOGORDO, NEW MEXICO
PUBLIC HEARING TRANSCRIPT

JULY 12, 1997

STATE OF NEW MEXICO COUNTY OF OTERO

IN THE MATTER OF THE PUBLIC HEARING)
ON DRAFT EIS FOR THE PROPOSED)
EXPANSION OF GERMAN AIR FORCE)
OPERATIONS AT HOLLOMAN AIR FORCE BASE,)
NEW MEXICO)

TRANSCRIPT OF PROCEEDINGS

JULY 12, 1997

BE IT REMEMBERED that on July 12, 1997, at 9:00 AM at the Ditzler Auditorium, 1900 North White Sands Boulevard, Alamogordo, New Mexico, a public meeting was held before the HONORABLE JUDGE JAMES HEUPEL and the following transcript was prepared by DAMA WIMBERLY, a Court Reporter and Notary Public within and for the State of New Mexico.

COPY

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THE JUDGE: Good morning, ladies and gentlemen. I do want to thank you for coming out this morning. This is a public hearing on the draft environmental impact statement, or you will hear us refer to it as the draft EIS, for the proposed expansion of the German Air Force Operations at Holloman Air Force Base, New Mexico. I'm Colonel Jim Heupel and I'll be the presiding officer for this morning's meeting.

Now, before any decision to expand the current German Air Force presence at Holloman can be made, the Air Force must do a complete analysis of the environmental issues involved with this action. The National Environmental Policy Act's implementing regulations require the Air Force to document this analysis in an environmental impact statement before the Secretary of the Air Force can make any decisions.

I notice we do have some people in the back; we've got a number of empty chairs in front here; it's just like in church, nobody wants to come up to the front pew. But you're welcome to come on up if you'd like to do so, and particularly if you need to do so in order to see the slides.

Now, part of the process that we have with this environmental hearing includes receiving public comment on the draft Environmental Impact Statement, which was written over the past year following scoping meetings that were held last summer. At the scoping meetings, the Air Force asked for public input on the scope or the range of issues that should be studied in this

EIS. This part of the process enabled the Air Force to learn about any issues involving the expansion of the German Air Force at Holloman that were not previously identified. The relevant comments gathered during scoping are included in the environmental analysis. This analysis is contained in the draft EIS, the contents of which are the subject of this morning's meeting. Now the draft EIS has been distributed for public review and comment. If you haven't seen it, this is a copy of the draft environmental impact statement that I'm holding up.

Now, based upon input received during the 45-day comment period, additional analyses will be evaluated and/or performed and changes will be made to the Environmental Impact Statement as necessary. So if you have not already had an opportunity to read the draft EIS before this morning's meeting, you are encouraged to do so as soon as possible. Now, there are a set of fact sheets back in the back, they are these blue sheets that I'm holding up, seven of them, 14 pages in all, that do go through and give a summary of the proposal and some environmental impacts. It also has a listing of libraries where copies of the draft Environmental Impact Statement has been sent.

In addition the Air Force Representatives that are here with me this morning will be addressing the proposal and the potential impacts.

There are two things that we want to do with this hearing this morning. The first is we want to give you

information about the analyses of the potential impacts to the environment resulting from the Air Force's proposal and the second, and most important part is to receive your comments about the draft Environmental Impact Statement. It's through your comments and questions that you may raise as to whether certain things within a draft that the Air Force can take a look at and do an analysis of what it has done in the draft EIS and see how it can be improved and then that will all go to the decision maker.

Now, the comment period that I mentioned earlier runs from the 20th of June until the 4th of August of this year. So any comments received during that time period will be responded to by the Air Force in the final EIS. This morning's hearing is the last of six hearings that have been held in various communities in New Mexico and in Texas.

When I'm mentioning the final environmental impact statement, let me also indicate to you, the cards that you were asked to fill out if you wanted to speak or not, there is a block at the bottom, that you can check if you'd like to receive a copy of that final environmental impact statement. So if you didn't check and decide you'd like to get a copy of it, we'll be taking a break later, after the Air Force Personnel have addressed the proposals, and you can go back, get your card and check that. Also, I'll be calling on speakers for public comment from these cards, and again, I know some of you said, well, I'm not sure if I want to make a comment and as I indicated, there'll be a break and

if you decide at that point that yes, you'd like to make some comment, you can go back to the registration table and have them get your card, and check that you want to make a comment, they'll give the card to me. I've got quite a number of cards already.

But the whole purpose of this hearing is to receive your comments.

Before introducing the other members of the panel, I'd like to explain my role in the hearing. I'm a chief trial judge for the Air Force and I primarily preside over criminal cases, so I'm not here as an expert on this draft environmental impact statement, I've not been involved in its development. I'm here to ensure that you have a fair and orderly hearing and everybody who wants to speak has an opportunity to speak. As a sideline, I've gotten some questions at some of the other meetings, well, why is the Judge conducting this meeting. Well, the answer is since about the mid 1970's, we've had judges conduct all of the Air Force environmental impact statements, the formal hearings like this, so it's not something peculiar to this area, I was doing hearings in Las Cruces on Air Force laser program back in December. That's why a judge is doing it, and since my assignment does it, I particularly, since I moved to Texas, wanted to come here to New Mexico and Texas to see the country, rather than Washington, D.C. So that's why I'm here, there's no particular reason, otherwise.

The other members of the panel. To my immediate right is

Mr. Bob Johnson, he is from the Holloman Air Force Base Environmental Office. To his right is Ms. Sheryl Parker who is from Air Combat Command Headquarters; Langley Air Force Base, Virginia. She's in the environmental office there. And to her right is Colonel Don Hargarten who is the assistant deputy commander for the 49th Operations Group at Holloman Air Force Base.

The schedule this morning will be Mr. Johnson will spend a few minutes providing a short summary on the environmental process and what you can do to provide input on what goes into the final EIS. Then Colonel Hargarten will present information on the proposal and the three options the Air Force is looking at in order to facilitate increased German operations at Holloman. And then finally Ms. Parker will review the analysis of potential impacts to the environment from the proposed action and training operation locations.

After that, I will entertain clarifying questions over matters that they present. If there's something that you didn't quite understand or a term that was used that you didn't understand to clarify what they presented here, I'll entertain questions on that. We won't go into questions such as noise problems right now or low level flights right now. We've heard a number of those issues and questions raised at other meetings. And I welcome you to speak to that during the comment period, but the clarifying questions go to the matters that they present here.

Then we'll take a break for ten minutes or so and then we'll go into the public comment period. With the number of comments that people have indicated already that they're going to be having comments, we'll have a time limit of five minutes. At the end of five minutes, I'll raise my hand and ask people to finish up. You don't have to stop right then, but go ahead and finish up the point you're on.

Before I go into the presentation by Mr. Johnson, I would point out that Mayor Carroll is here from the City of Alamogordo. I'd like to recognize him. I particularly want to do so because he's the first mayor from any of the cities that we've had at any of the hearings, at least that I'm aware of, so I do note that. I will also be calling on any elected public officials that are speaking on behalf of their constituency, to speak first, then I'll call on members of the public through the comment period in random order.

Mr. Johnson.

MR. JOHNSON: Good morning; my name is Bob Johnson and I work in the Environmental Flight at Holloman Air Force Base. And during the next few minutes, I will provide you with some general information about the Act which serves as the basis for these hearings, what we intend to accomplish, what's involved in the process and what your role is in this process and also go over the schedule as it relates to the proposed action that we're evaluating.

NEPA which was enacted in 1969, requires that before we, a federal agency, do something, we must analyze and document the environmental impact of that something before we proceed with the proposed action.

The NEPA document should provide a clear, unbiased discussion of any potential environmental impacts relevant to the proposed action and the alternatives. This analysis is intended to serve as a "clear basis for choice" and should avoid lengthy discussions of issues not relevant to the proposed action.

This leads me to a key statement in the NEPA regulations. It is found in the "Purpose" section and I would like to quote it. "Ultimately of course, it is not better documents but better decisions that count. NEPA's purpose is not to generate paperwork, even excellent paperwork, but to foster excellent action."

Everything the Air Force has done up until now, and will do with this document, and everything we do here today, points toward the day when the decision maker signs the Record of Decision. Our responsibility as employees of a federal agency is to ensure a full and objective environmental impact analysis be performed for all components of this proposed action.

Is the EIS the only factor the decision maker takes into consideration? No. He or she must also take into consideration technical design issues as well as the monetary costs. Other factors that could be taken into consideration include values of

the local public as well as input from elected officials.

Now, once the decision is made, is the Air Force committed to implement the selected action? No. The final action in the NEPA PROCESS is the Record of Decision. And it is just that - a decision. If the decision is made to beddown the 30 additional aircraft and build the needed facility, other constraints may cancel the proposal. The Air Force would not be legally obligated under NEPA to implement the selected action.

In other words, to use a phrase our team has heard a lot during this and other related Air Force proposals, this is not a "done deal." It is far from it and possibly my never become a "done deal". The only decision made thus far has been to proceed with the environmental impact analysis. The decision of whether or not to do the "something" and how to do it won't be made until the analysis is complete, hopefully this December.

I said I would tell you how you can be involved in the process. The judge earlier told you what specific methods can be used to provide your comments. The primary thing you can do is ensure your comment is relevant to the issues at hand. We are here to receive comments on the Draft Environmental Impact Statement. We are looking for feedback on environmental issues you might feel were not adequately addressed or not addressed at all. For instance you might be a member of the Audubon Society and are aware of an endangered species in the region of impact that we failed to address. Or maybe one portion of a discussion

in the document was confusing to you and you want to offer some suggestions on how we can make the explanation clearer. These types of comments are helpful to us and will be taken into consideration as we continue our analysis.

We won't, however, enter into a debate with anyone about the Air Force's policy on training or issues related to NATO alliances. If you have questions along these lines, I would refer you to the draft EIS, Chapters One and Two and our fact sheets, these provide the Air Force's reasons for what we're proposing, while fully realizing that not everyone will be in agreement with us. Again, our focus here today is the potential environmental impact of what we're proposing to do.

We don't have to have all inputs today. If you think of something tomorrow or the next day, submit your comments in writing. The comment period will be open until August 4. The mailing addresses are on the fact sheets you might have picked up and on the comment cards.

(SLIDE 5 PUT ON SCREEN). So where are we at in the NEPA process? Like all proposed actions evaluated under NEPA, there is a schedule, or "time line" we are doing our best to adhere to.

On this slide you will see all the key actions required by NEPA: Of course we're in the comment period right now. June 20 was the beginning of the public comment period and it runs to August 4th. Immediately after that, we'll begin incorporating any inputs we've received from the public hearings and continue with

our environmental analysis. November 4th is the projected date to have our Final EIS published and then hopefully in December we'll have the Record of Decision signed.

I hope that the information I've just provided gives you a better understanding of what NEPA requires, why we are holding these meetings and what we are trying to accomplish. Again, our goal is to ensure the decision maker makes an excellent decision which will lead to excellent action, one that allows the Air Force to accomplish its mission while also protecting the human environment. They go hand in hand.

This concludes my portion of our presentation.

JUDGE HEUPEL: Colonel Hargarten will now address the proposal.

COLONEL HARGARTEN: Thank you, Judge. I'm glad to be here today to provide an overview on this proposal --

INTERRUPTION FROM THE FLOOR: I have a big point in this country. I was in the Pacific and I shot down the first Japanese bomber in the first few hours of the battle, August 7th, 1942.

JUDGE HEUFEL: We'll be glad to take your comments during the comment period.

(Gentleman mumbling and going to his seat.)

JUDGE HEUFEL: Go ahead, Colonel.

COLONEL HARGARTEN: Thank you, Judge, I'm glad to be here this morning to provide an overview on this proposal to expand German Air Force operations at Holloman. Before I get into the

specifics of what the Air Force is proposing to do, I'd like to provide a little background on our relationship with Germany since World War II and our nation's current military strategy.

Since the 1950's Germany has demonstrated a commitment to its NATO role. German aircrews have been training in the U.S. in fighter aircraft since 1957. They have trained in F-84's, F-104's F-4's and Tornados. Since 1992, the U.S. has provided German aircrew training in F-4's at Holloman Air Force Base. I was commander of that squadron for two years, and the German/U.S. partnership was clear to see as we hosted German Air Force pilots to help ensure our allied aircrews are trained to the same high standards as U.S. pilots. This partnership has been especially useful since the end of the Cold War, as multinational allied actions became an even more important means of protecting our nation's security and promoting stability around the world, as the Soviet superpower and the Communist bloc in Europe fell and as the U.S. began to withdraw its forces from Europe.

All these factors have made readiness and training more important than ever before because of a changing international environment, a greater diversity of risks and threats and reductions in U. S. Military budgets. This policy is reflected in the current National Military Strategy, which emphasizes international training and military exchanges.

(SLIDE 7 shown on screen) For this approach to our defense to succeed and for U.S. and allied forces to be safe, we

must provide both U.S. and allied aircrews with the highest caliber training. Combat readiness requires constant training, and that is another reason behind this proposal. The U.S. and its allies must train the way they intend to fight. Responding to the government's new military strategy and increased risk, demands a high degree of proficiency.

Increasingly sophisticated weapons require equally sophisticated training. There are three main components in today's aircrew training: low-altitude training, air-to-air training and air-to-ground training. Proficiency in all three is vital. We want to ensure that people fighting along side us are just as combat ready as we are. Holloman is well suited for further growth in the German Air Force training mission. In addition to having the infrastructure to support the 12 Tornados already at Holloman, the base offers available land, airspace areas, support facilities, local community support, and the benefit of being located near the German Air Force command headquarters at Fort Bliss, near El Paso, Texas. These features contributed to the successful relocation of the 12 Tornado aircraft and 300 support personnel at Holloman in 1996. Our proposal helps ensure continued combat readiness because it provides realistic training opportunities.

(SLIDE 8) But another integral part of our mission is serving as a good neighbor and a good steward of the environment. That makes it important to us that you assist in the decision-

making process for this proposal and at any time you're concerned about our operations or activities. Our Public Affairs phone number is 505-475-5406. Community input has already led us to define avoidance areas or to raise minimum flying altitudes over and distance from, specific areas. We also work with the Federal Aviation Administration to reduce potential impacts to civilian aviation by providing advance notice when we're using many airspace areas.

In our role as caretakers of the environment, we believe environmental stewardship is important and can be accomplished hand in hand with the military mission. We manage our installations to sustain diverse environments and monitor the condition of natural resources, including air and water quality and land condition, to ensure little or no degradation. We work closely with agencies such as the Bureau of Land Management, the U.S. Forest Service, and the U.S. Fish and Wildlife Service to protect and enhance resources and minimize impacts to sensitive areas.

(SLIDE 9) Now, I'll outline the main components of the proposal to expand the German Air Force's presence and establish a German Air Force Replacement Training Unit at Holloman. The Replacement Training Unit would function as a school for German Air Force Tornado aircrews. First, the proposal includes facility construction and relocating an additional 640 personnel to support training of German aircrews in the 30 additional Tornados.

Second, it includes aircraft training in airspace throughout the region. And third, in order to meet the needs of the Tornado aircrews, three training options are considered within the proposed action: construction and operation of a new air-to-ground tactical target complex at one of two locations on McGregor Range or use of existing military ranges at White Sands and Melrose Range near Clovis, New Mexico, to accommodate training requirements.

The beddown of 30 additional Tornado aircraft would require construction of administrative and academic buildings, headquarters and operations buildings, a flight simulator, supply and maintenance facilities and hangers and dormitories on Holloman Air Force Base. Construction would total over $100 million. All the construction and relocation expenses directly related to the Germans, would be paid for by the German Air Force.

A variety of airspace is needed to support the German Air Force mission. Airspace needs include military training routes for low-altitude maneuvers, military operations areas, or large areas of airspace where military aircraft practice air-intercept training and areas restricted to military use. The proposed action would result in an addition of approximately 2,800 sorties on military training routes, 3,200 additional air-to-air or dogfight sorties in military operations areas or restricted areas and 2,600 air-to-ground range sorties per year. Aerial refueling operations would also be performed. These sortie

numbers are not cumulative. By that I mean you simply cannot add up all of those numbers and arrive at a total number of sorties that would be flown by additional aircraft. A single sortie may include use of a low level training route, then performing in-flight refueling. Then use of a military operations area for air-to-air training and finally delivery of training ordnance on an air-to-ground training range.

Currently, the majority of tactical air-to-ground training is conducted in White Sands Missile Range. According to national policy, White Sands' mission of research, development, test and evaluation has priority over Holloman's training mission. As a result, it is presently difficult to get adequate time to train in White Sands airspace. Adding 30 more aircraft at Holloman would only increase the problem. In addition, terrain features of the Red Rio and Oscura target complexes preclude their use for training in certain types of munitions deliveries.

(SLIDE 10) We are looking at three options to meet the air-to-ground training requirements of the Tornado aircrews. Two of the options involve construction of a new target complex for air-to-ground training on McGregor Range which is controlled by the Army's Fort Bliss. One option is a location on western Otero Mesa, and the second option for the new target complex is a location in the Tularosa Basin portion of the range. If a new target complex were to be built, it would be comprised of a 2-by-4 mile impact area within a 12-by-15-mile safety area.

Construction activities would be primarily confined to the 2-by-4-mile impact area. No live ordnance would be used on the new target complex.

Although not operationally desirable the third option is to use only existing ranges in New Mexico to support the additional aircraft. These would include Red Rio and Oscura on White Sands Missile Range west of Carrizozo, New Mexico, and Melrose Range near Clovis, New Mexico.

These training options differ only with respect to utilization of airspace and ranges. Aircraft would access either of the new target complex options or the existing ranges using military training routes.

(MAP VIEWGRAPHS) What I'd like to do now is go over formats and orient you on the maps to some of the ranges and low-levels I've been referring to. To orient you on this map, Holloman Air Force Base and Alamogordo sits at the tip of my pencil. Just to the west outlined in blue is White Sands Missile Range. To the southeast is McGregor Range here. The area in blue is the Pecos, our military operations area. In green is Beak Moa and yellow is the Talon Moa.

The 3,200 sorties I referred to in my script for the German Air Force training, would be shown in these two restricted areas, White Sands Missile Range, McGregor, the yellow area and the green area and a few sorties in the blue area.

Next slide, please. Very busy slide. To orient you, the

green circle in the middle is Holloman Air Force Base. Again, in the pink there to the west, we see White Sands Missile Range. What this slide shows is that the 2,800 sorties I referred to that the additional Tornados would fly in our local MTR's or military training routes. This slide shows all of the low-level and the local flying areas. There's a few low levels on the map that we will not use.

One is IR 178 which is this green line here, we won't be using that. And the IR 196.

Next slide, please. This slide shows our local area downranges and under the existing option the ranges that are titled in red would be used as a new target complex would not be built. To orient you again, we have Holloman Air Force Base in the middle. This is 100 knots or mile circle around it, just to orient you on the relationship between the different ranges. Going over the ranges, setting up 45 nautical miles north of Holloman Air Force Base is Red Rio range. Red Rio is a tactical range, by that, I mean it has a simulated air field on it, it has a convoy, industrial complex service to air missile site, antiaircraft artillery sites on the range that we use to practice attacking. It is not a manned range and it is not scored. It does have a single live drop target on it, that the aircraft that Holloman uses for live training.

Just to the south of it is Oscura Range, which is located about 35 nautical miles north of Holloman, it is a

conventional bombing range. It has two conventional targets on it which have concentric circles around it that the fighter pilots use for their basic, fundamental bombing training. It also has a few tactical targets. It is a scored range, the aircraft can be scored on where the bombs landed and it has a strafe target and it is a manned range.

Just to the south southwest is the black target on McGregor Range. A lot of people don't realize that there is a single target on the regular range right now. It is a single target that is not scored and has concentric circles around it, for practicing bombing fundamentals.

145 nautical miles to the northeast at the tip of the pencil is Melrose Range near Cannon Air Force Base. It is both a tactical range and a conventional bombing range. Although we don't use it for bombing, it does say range and we'll talk about it for a second. Dona Ana Range is used by the Army, they do live artillery firing there.

Next slide, please. This slide shows McGregor Range; to orient you on the map, Orogrande sits over to the west, this is 506 that goes through to the communities of Pinon and comes around to get up to Timberon, on that county road. Just to the north of 506, there is a power line that goes to the range. These two rectangles are the two optional proposed bombing range locations on McGregor Range. One, we referred to as the West Otero Mesa location which is this one here, and the other one is referred to

as the Tularosa Basin location. If you've been reading in the media over the last two years, you often hear discussions about on the mesa versus off the mesa. What they're referring to is an escarpment, if you follow the pencil tip here that goes along the green line, there's an escarpment on the range. There's a several hundred foot vertical change in elevation. So what they're referring to is to the west of that escarpment is on the mesa and off the mesa is to the east -- it's the opposite, to the east is on the mesa and west is on the basin.

Also shown in the slide is this light red line. It's rather difficult to see but there's a light red line here and that's the safety fan I referred to in my talk that goes out 27,000 feet from the 2-by-4-mile area. Access to the 2-by-4-mile area would have to be controlled 24 hours a day, seven days a week and that's approximately a little over 5,000 acres, for safety reasons.

If the range was built, the fence we would put around it would be approved by BLM so that the animals up there on the mesa could go in there and graze. We'd just have to control access by the public. That safety fan I talked about, would have to be controlled for the public when the range was in use but when the range is not in use on the weekends or it could be used for hunting, ranchers could check on their cattle. And if we started bombing in the morning, 8:30 or 9:00, ranchers would be able to go inside that pen and check on their cattle, they just wouldn't be

able to go inside the 2-by-4-mile area.

If, under both of these two options here on the mesa, West Otero Mesa location and the Tularosa Basin location, neither one of them require the movement of 506, nor would we move the power line north of 506.

This solid blue/black line coming out of the foothills here and into the range is a pipeline that comes out of the foothills, it's used to bring water down to some water troughs or stock tanks that are on the range. If this location is chosen, and we'll talk about it shortly, this pipeline portion would be inside the 2-by-4-mile area and would have to be moved and the Air Force would pay for that.

These light green lines that are scattered around here, these are boundary lines of different grazing units. There is no grazing here in the Tularose Basin but on Otero Mesa there is grazing going on, and you can see that this option lists exactly the different grazing units, Grazing Units 9 and 13. This area in green up here is the proposed Hope Canyon east ridge areas and the areas in yellow are grassland areas.

The air space that would be used could include modified military training routes and restructured airspace in southern New Mexico and west Texas that were contained in a separate proposal by the Air Force and addressed in a Final Environmental Assessment, or EA entitled Proposed Airspace Modification to support units at Holloman Air Force Base, New Mexico. That

action also involves establishment of an air refueling route. This EA has been approved by the Air Force and is undergoing review by the FAA.

If this air space modification is not implemented, existing air space would be used to support the increased Tornado aircraft. These differences in air space availability and utilization are taken into account in the analyses of impact in that EIS that we are discussing today, Mrs. Parker will discuss these impacts shortly.

In addition to the proposed action and its three training options, the EIS includes the no-action alternative which analyses the environment without the additional aircraft and air crew relocation, target complex construction or change in air space utilization. This alternative does, however, include some other actions that have already been adopted, such as the change from F-111 to F-16 aircraft at Cannon Air Force Base.

The proposal to expand German Air Force operations at Holloman is important to our country because it advances our efforts to keep our nation and its vital interests safe through a strong and well-trained allied team, despite the fact that U.S. Military Forces are much smaller today. Keeping this team ready requires constant, realistic training now, more than ever before. Central to this proposal and our ongoing mission is our responsibility to serve as good neighbors and stewards of the environment.

Thank you for your attention; I appreciate the opportunity to make this presentation to you this morning.

THE JUDGE: Now, Ms. Parker will discuss potential impact from the Air Force proposal and options.

MS. PARKER: Thank you, Col. Heupel. This draft Environmental Impact Statement describes the environmental impacts that are associated with implementation of the proposed action which is to relocate 30 more German aircraft, associated personnel and support facilities to Holloman and the three training options that are part of the proposed action.

As Colonel Hargarten mentioned, there are three main components of our proposal: (1) construction at Holloman to support the additional aircraft, personnel and programmatic needs; (2) training in airspace throughout the region; and (3) three training options to meet these air-to-ground training requirements.

We looked at three options to satisfy the need for increased air-to-ground training: two of these options involve new construction on McGregor Range, and the third option would increase use of existing ranges. We also looked at the use of airspace in the region. The Air Force has requested that the Federal Aviation Administration approve modifications to military training routes in New Mexico and southwest Texas and the Talon military operations area in New Mexico.

The draft EIS examines the environmental effects of the

proposed action both with and without this modified airspace. Also, as mentioned earlier, we examined the no-action alternative, which considers not implementing the proposal and thus results in no change or impact to any of the environmental analysis categories.

I'll discuss the overall impacts to the environment associated with implementing the proposed action, impacts to airspace use and management, environmental impacts of construction of the two new target complex options, as well as the option of using existing ranges. The existing ranges that would be used under all three training options but their use would be considerably higher under the existing range training option.

Before going into specific impacts, I want to explain how the impacts of the proposed action were compared to environmental conditions without the proposed action. First, we described existing environmental conditions in fiscal year 1995. However, there are a number of actions that have already been approved that will occur whether or not the additional 30 Tornados are brought to Holloman. For example, in 1995, the 12 Tornados that are now already at Holloman had not yet arrived. Also, a squadron of AT-38's at the base was deactivated just this year and this was not included in the conditions that prevailed in 1995. In addition, Cannon Air Force Base is in the process of changing from F-111 to F-16 aircraft, and they will use some of the same airspace that the Tornados would use.

Therefore, to provide a baseline to compare to the proposed action, we projected the environmental conditions that could be expected to exist at the time the additional Tornados would be brought to Holloman. This projected baseline includes the ongoing actions that would occur between 1995 and the fall of 1999, or the first quarter of fiscal year 2000, when the 30 Tornados would bed down. The draft EIS also examines the cumulative impacts from the proposed action in combination with other reasonably foreseeable Department of Defense actions affecting Holloman Air Force Base and the airspace and ranges in the region.

At any given time, there are a number of potential actions that could include changes of aircraft, changes of the mission for the aircraft at a particular base or new construction at a base, that the Air Force might be discussing or contemplating. Many never make it past the discussion stage, but some do. It is not only possible for all of them, reasonably foreseeable action, during the early discussion stage. As an example, developments of new F-22 aircraft is well under way. But the basic process is not yet out of the discussion stage. Therefore, including discussion of the possibility of basing an operational unit of F-22's at Holloman Air Force Base is not necessary because it is not now reasonably foreseeable.

The Air Force is also discussing establishment of new electronic scoring sites for bomber aircraft. And if the decision

were made to pursue these sites, they may be located somewhere in the mountainous west or the southwest. But the definitive criteria necessary to formulate this discussion into a proposal has not yet been developed. Therefore, its precise location is not reasonably foreseeable and analysis is not included in this EIS.

Now, to summarize the findings of the draft EIS in the thirteen environmental areas analyzed in the document. Today's briefing is an overview of the general findings in each environmental discipline. And I urge you to refer to the draft EIS itself for the detailed resource impacts.

The first resource area we examined was airspace use and management. Our analysis found that there would be minor impacts to civil aircraft traffic due to increased operations at Holloman, and none of the three training options under the proposed action would result in any significant airspace impacts.

The noise analysis examined impacts around the Holloman airfield and in the airspace and ranges that would be used. At Holloman and the surrounding area, about 41 acres are currently exposed to day-night average sound levels of 65 decibels or more. Day-night average sound level is a measurement that averages noise from multiple events, such as a jet taking off or flying overhead, over a typical 24-hour period. The measure adds an extra 10 decibels to events that take place between 10 p.m. and 7 a.m. because of an increase in sensitivity at night. By October of

1999, this affected area would increase to about 42 acres due to other ongoing projects. Implementation of the proposed action would further increase this to about 47 acres, a change of about 12 percent. For either the west Otero Mesa or the Tularosa Basin training option, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. In no case would average sound levels increase by more than six decibels.

Under existing range training option, sound levels under affected airspace would increase negligibly at most locations, or even decrease in some instances; but there are instances, such as under the Pecos military operations area near Fort Sumner, sound levels would increase by as much as 13 decibels, from their existing levels of 45 to 46 day-night average sound level to about 57 to 59 decibels. Except at the air-to-ground ranges themselves, none of the airspace areas -- military operations areas or the military training routes -- would have average noise levels above 65 decibels under any of the options.

The actual sounds generated by an individual overflight depends on the type of aircraft, its altitude and speed and other factors. As an example, the maximum sound levels on the ground directly under a Tornado flying at 100 feet ranges from 117 to 124 decibels. At 500 feet which is by regulation, the minimum distance an aircraft can be flown near a person or a structure, a Tornado would generate a maximum sound level of 102 to 108

decibels. Increased operations at Holloman Air Force Base would result in increased noise over portions of White Sands National Monument.

Other changes in overflights in affected airspace would result in negligible changes in sound levels in most locations, with no significant effect on land use. In some areas east of McGregor Range and southwest of Artesia, particularly where airspace units overlap, there would be a noticeable increase in the number of overflights that could be annoying to residents and outdoor recreationists. Under the existing range training option, areas near places like Capitan Mountains and Sumner Lake would experience higher overflight increases that could also be annoying to recreationists. However, even with the increases, the total number of overflights would remain low with any one location unlikely to be overflown more than once a day.

Construction of a new target complex at McGregor Range would result in a reduction in access to portions of Otero Mesa which is south of Highway 506 by recreationists, BLM workers and ranchers. Access for livestock management, for example, would have to be scheduled around times that the complex would be in use which is estimated at this time to be about 60 hours per week.

Livestock grazing would be able to continue, however, even when the complex is being used. If the new target complex were constructed on west Otero Mesa, about 5,200 acres would be removed from grazing. Under the Tularosa Basin option, no land

would be removed from grazing, but access to portions of Otero Mesa would still be restricted for people while the target complex is in use. Neither option would affect access along Highway 506 itself.

Air quality would not be significantly impacted by the proposed action. There would be temporary increases in air emissions during construction of facilities at Holloman if a new target complex were built, but these emissions would not result in a significant impact to the air quality condition, including visibility conditions. Aircraft emissions would also increase, but not at levels enough to affect adherence to national ambient air quality standards.

Potential impacts to biological resources from implementing the proposed action would include habitat loss, habitat modification, changes in habitat use by animals, direct loss of animals and temporary disturbance from noise.

About 36 acres of vegetation with limited wildlife value would be disturbed at Holloman Air Force Base for construction of facilities. In addition, an existing building that is used by bats as a roost would be demolished. Burrowing owls that are in the vicinity of proposed facilities on the base would be relocated. There would be no impacts to threatened or endangered species or wetlands.

Other potential impacts would include continued disturbance of vegetation and habitat at existing ranges and

continued temporary wildlife disturbance from noise under existing airspace. Aircraft flights would increase over much of the existing airspace compared to baseline, but the increase would be relatively small and result in small increased potential disturbance to wildlife.

Peregrine falcon and Mexican spotted owl nests would potentially be overflown more frequently in the areas of Lincoln National Forest, Sacramento Mountains and the Gila Wilderness in New Mexico and the Apache-Sitgreaves National Forest in Arizona. Southwest willow flycatcher nest habitat along the Rio Grande and in Arizona may also be overflown. Similarly, bald eagle winter concentration areas on west-central Arizona, the portion of the Rio Grande in the region around Elephant Butte Reservoir and Brantley Lake and Santa Rosa Lake along the Pecos River potentially would be overflown more frequently. These daily overflight increases would be relatively small and result in a low impact to protected species. Consultation with the U.S. Fish and Wildlife Service has been initiated and would be completed prior to use of airspace to implement the proposed action.

Impacts associated with Construction and use of a new target complex on west Otero Mesa would result in a net loss of between 500 and 1,040 acres for construction of targets, firebreaks and roads. In addition, annual redisturbance would occur during ordnance cleanup and maintenance. Use of inert ordnance and flares would increase potential for fires within the

impact area. Up to 46,000 linear feet of Waters of the U.S. may be affected under this option. Loss of this grassland and shrub land vegetation would result in a minor loss of wildlife habitat, including habitat for burrowing owl, aplomado falcon and black-tailed prairie dog and grama grass cactus habitat.

Also wildlife would probably avoid the new target complex while inert ordnance was being dropped and during cleanup and maintenance because of human presence and noise. Increased aircraft sorties would result in more frequent overflights of wildlife on McGregor Range. For example, wintering bald eagles, nesting raptors such as the red-tailed hawks and northern harriers and bat habitat including potential roosts along the escarpment and feeding areas and water sources would be overflown more frequently.

Impacts associated with construction and use of a new target complex in the Tularosa Basin would include short term loss of virtually all 5,120 acres within the impact area because of the need to remove existing ordnance before constructing the targets. In addition, annual redisturbance of about 1,040 acres would occur during ordnance cleanup and maintenances. Use of inert ordnance and flares would also increase the potential for fires under this option.

About 33,240 linear feet of Waters of the U.S. may be affected by the construction and use of this option. Loss of this grassland and shrub land vegetation would also result in the loss

of wildlife habitat including habitat for aplomado falcon and night-blooming cereus. As with the west Otero Mesa option, the wildlife would probably avoid the new target complex, during dropping of inert ordnance and during cleanup and maintenance because of human presence and noise.

Using only existing ranges would result in a slightly higher aircraft use of IR-113 and VR-176 compared to the no-action alternative. The increased use of VR-176 would result in an increased potential for overflight of habitat of peregrine falcons, Mexican spotted owls, bald eagles, whooping cranes and southwest willow flycatchers.

Impacts from the proposed action to cultural resources on Holloman Air Force Base, under airspace areas, or at existing ranges, would be negligible. If a new target complex were constructed on west Otero Mesa, there have been 17 sites identified that are either eligible or potentially eligible for placement on the National Register of Historic Places that could be impacted. If a new target complex were constructed in Tularosa Basin, 29 sites have been identified as either eligible or potentially eligible for placement on the National Register, and could be affected.

Water resources would not be impacted by the airspace components of the proposed action. Construction of new facilities at Holloman would result in increased runoff, but common engineering practices would be used to prevent any serious

problems resulting from the runoff. Increased use of existing ranges would result in negligible impacts caused by runoff and there is an increased potential for soil erosion during heavy rain. However, resulting impacts to surface waters would be minimal. Increased soil erosion and sediment transport could result from construction and operation of a target complex in the Tularosa Basin, but the impacts would be negligible. Impacts from the west Otero Mesa option would be similar. In addition, there is a chance that water resource improvements, such as pipelines, water tanks, and pump houses could be damaged by inert ordnance. These improvements would be relocated as necessary or repaired to ensure the availability of water to wildlife and livestock is maintained.

There would be a 12 percent increase or about 13,500 pounds in hazardous waste generated per year and an increased use of hazardous and toxic materials at Holloman. Hazardous materials and waste would be accumulated and disposed of in accordance with established procedures and would result in no significant impact on hazardous material and hazardous waste management. Hazardous materials and waste management are largely unaffected by the airspace utilization. Munitions on existing ranges would increase, but Air Force ranges are cleared annually of scrap metal, which is disposed of through existing orders and regulations. Under any of the training options, munitions use would generate about 150,000 pounds of non-hazardous scrap metal

each year. Again, since clean-up and disposal procedures are in place to handle this waste, there would be no significant impact to the environment or hazard from this activity.

The proposed action would result in an increase of 640 military personnel at Holloman, and generate about 110 construction jobs. Annual wages and purchases in Otero County would increase by 10 percent to $18.2 million, with the potential for other additional infrastructure improvements. There would be no significant impact to regional socioeconomic attributes, such as employment, construction, police or fire protection. Cost of construction of a new target complex on west Otero Mesa is estimated at $4 million, and the Tularosa Basin option cost is estimated at $20 million. Airspace utilization has little affect on the socioeconomic conditions.

The only transportation impacts resulting from the proposed action would occur in the City of Alamogordo itself. Although the proposed action would result in a relatively small increase in traffic, there would be an adverse affect on traffic conditions, potentially increasing congestion on the main road through Alamogordo.

Utility use at Holloman would increase between 6 and 13 percent under the proposed action, but the increase would be within existing levels of service. Alamogordo utility use -- water, waste water treatment, waste disposal and electric and natural gas supply -- would increase from 3 to 6 percent. There

would be no impacts on utilities from changes in airspace or range use. If a new tactical target complex were built on west Otero Mesa, a portion of existing water lines and a stock tank may need to be relocated. The other training options would have no effect on utilities.

Construction at Holloman Air Force Base and Red Rio and Oscura Impact Areas at White Sands Missile Range could affect soils, but because of the present condition of these areas, the impact would be minor. Increased live munitions drops at Red Rio could increase vegetation loss and a potential for soil erosion. While increased use of live ordnance at Red Rio could result in increased contamination from uncombusted explosives, past use has been found to have caused negligible soil contamination.

If the Tularosa Basin new target complex were constructed, virtually 100 percent of the 5,120-acre impact area would be heavily impacted; that is, all vegetation would be removed in order to clean up the existing unexploded ordnance. If the west Otero Mesa target complex were constructed, 20 percent or about 1,040 acres of the vegetation would be removed. Soil conditions would be unaffected by the airspace utilization.

Safety impacts resulting from facilities construction would be negligible. There would be a minor increase in risk of aircraft mishap and bird-aircraft strike if the proposed action is implemented. Although the munitions use and handling would increase over current conditions, range operating procedures are

in place to ensure safe operation, so no significant impact is expected under any of the training options. There is a potential for increased fire risk if one of the new target complex alternatives is selected.

The effects of this proposed action, along with other actions which have been recently implemented, such as the 12 Tornados that were brought to Holloman last year and actions which will be implemented in the reasonably foreseeable future, such as the change to F-16's at Cannon Air Force Base were addressed in the draft EIS's cumulative impact analysis. A comparison was made between the conditions as they prevailed for fiscal year 1995 and those that are projected for fiscal year 2000 under the proposed action. For most resources, no significant cumulative impacts would occur following expansion of German Air Force operations at Holloman. These resources include airspace management, air quality, archeological, cultural and historical resources, water resources, hazardous materials and waste management, safety, utilities, transportation and soils.

In most cases, cumulative impacts would be related to increases in aircraft operations and the associated noise, which would affect land uses and biological resources. Other activities, such as timber harvesting and grazing, could add to the habitat impacts, although these impacts would be minor. Other projects in Alamogordo could affect the employment and economic activities in the area.

To summarize, the environmental impact from the proposed action, most locations would receive negligible impact to the environment. Areas that are projected to be the most affected if the proposed action goes forward are areas in Alamogordo, because of increases of employment, population, traffic and aircraft operations at the base. Areas near Carrizozo, because of an increase in nearby overflights; areas west of Truth or Consequences in which threatened and endangered species such as the bald eagle and the Mexican spotted owl could be disturbed by potential increase in overflights. The Fort Sumner area because of potential increases in nearby overflights if there is an increase in the use of Melrose Range. Near Dell City because of increased nearby overflights and the Alpine/Marfa/Fort Davis area could experience increased nearby overflights if expansion of the German Air Force operation is approved.

Thank you for your attention.

THE JUDGE: So how can you comment? There are three different ways that people can comment. First of all, you can fill out the comment sheet that we've got at the tables, you can turn those in here. You can take and send in comments, up until August 4th. Now they have to be received at Langley Air Force Base, Virginia, by the 4th of August in order to ensure that they will be covered in the final environmental impact statement. But you can send those in to the address listed here.

The third way that you can comment is you can comment

during the oral comment period that we'll have after the break. Those are the three different ways you can comment. Now, you can do one or you can do all three or any number of the above. If you comment orally here this morning, you can still send in written comments. Also if you've got prepared comments that you want to turn in or prepared remarks that you want to submit as part of your oral comment today, you've welcome to do that.

Now, we do have, as I indicated before, handouts and the handouts will remain a part of the record, both the 7 sheets, the 14 pages and the display boards that have been reduced to 8 ½ by 14 sheets of paper, since those are here today being presented to you, I require that they be made part of the final environmental impact instrument statement because they do contain information being supplied to you.

Also I would like to note that we do have a court reporter with us, Mrs. Dama Wimberly, who is taking down the proceedings verbatim and she'll be taking down your comments verbatim as well, so that they can be reviewed and be made a part of the environmental impact statement.

We will, in a moment, I'll entertain clarifying questions, we'll be taking a break after that. I've been asked to announce that the entire campus here is no smoking. So if there are smokers that need to smoke you need to go off the campus. Let me make that comment for them.

Clarifying questions, I'm going to entertain. Again,

for those of you who weren't here when we started, the clarifying questions are questions specifically over what the people presented. If you've got a comment or questions about already existing overflights or noise or that type of thing, this is not the time for that. You can ask questions during the comment period. They'll be responded to in the final environmental impact statement. They won't be responded to by the people here because the environmental impact study is made by and the analysis is made by a large number of experts. The three people that we have here are not the decision makers and they are not the experts as far as site picking experts on the environmental process. So those won't be part of the procedure.

But if you need to clarify what was presented we'll try to do that. What you need to do is ask, raise your hand and I'll recognize you, have you come up to the microphone, state your name and ask the question, and if it's a clarifying question, we'll see if they can answer it. Now, again, as I indicted, questions that are not clarifying need to be reserved for the comment period and also for those of you that came in after we started, I'll be taking comments, using the comment card. You need to turn that in, and mark it if you want to speak, and if you decide that you want to speak now and didn't check the block that you wanted to speak, during the break, I ask you to go ahead and just get your card, mark the block and they'll get those cards to me so that I can take the commrnts.

Because of the number of people that are wanting to comment, there will be a limit of 5 minutes per speaker, so we can get everybody's comments in.

Let me ask, are there clarifying questions regarding the presentation itself? Yes, sir, please go ahead and come on up to the microphone.

SPEAKER: The question is --

JUDGE HUEPEL: If you could just state your name.

MR. CONROY: Bill Conroy. Request the figure 4,300 additional take-off land use was made, is that per year?

COL. HARGARTEN: Yes, it is.

MR.CONROY: Thank you.

JUDGE HUEPEL: Are there any other clarifying questions?

ELDERLY MAN (NO NAME GIVEN) I hope you can hear me out right away. Why are the Germans coming here and why do we want them? AG-1

JUDGE HEUPEL: Well, Mr. Johnson addressed that section in the environmental impact statement --

(Applause from audience)

ELDERLY MAN: World War II, I saw thousands of Americans trying to tear our country apart, it's not because -- and Heil Hitler, and Deutschland Enstrein, back in the '30's.

JUDGE HEUPEL: Are there any other clarifying questions over the presentation? Yes, sir. The gentleman at the end had his hand up first and then I'll take the gentleman right beside

him.

MR. RENDERKNECHT: My name is Les Renderknecht, you made the statement on these negligible effects on the increase in nearby overflights. What do they term a nearby overflight?

AG-2

JUDGE HEUPEL: Where, exactly are you referring to, sir?

MR. RENDERKNECHT: She made the statement just before she finished about the effects that this was going to have, and you said that this would be negligible effects in this area in Texas and New Mexico by the nearby overflights. What are you terming nearby overflights? The section was on one of your slides.

COL. HARGARTEN: I think I'll turn it back over to Ms. Parker on the question of specific DB. But part of the methodology is, they take and analyze the number of aircraft, the type of sorties that are flown at various heights of airspace. So for example, it can become very complicated if you have a low level that is underneath a military operations area. The scientists that are doing the analysis have to consider all of that noise coming from aircraft, all the way up to 20,000, 28,000 feet, let's say all the way down to -- in other words, let's say the number of aircraft operating in MOA plus the number of aircraft that would be transiting that corridor or that low-level route, so he would have to consider the amount of noise and the number of sorties and types of aircraft. Does that answer your question?

MR. RENDERKNECHT: No. Are you afraid -- you said there was negligible impact or she said that there would be a negligible effect on the increase in nearby overflights.

MS. PARKER: No, I was trying to refer to exactly what you were referring to. I said that most locations would receive negligible impact.

MR. RENDERKNECHT: Right in nearby overflights. What I'm trying to determine is what -- is this just an average? Is what you're giving us, you're saying that there will be a negligible effect on an average? Because it will affect a man on a horse if a Tornado comes 500 feet away, at 600 miles an hour and it's not going to be negligible.

MS. PARKER: The information that is given in this draft EIS is addressed in two ways. It is given in what's termed over a 24-hour period and that is 65 decibels, reference point. And there's also two charts that are in the EIS itself that give you the SDL's at different levels, which is 1,000 feet at a time on that level.

MR. RENDERKNECHT: Okay, so the 24-hour period is an average?

MS. PARKER: It's average of 24 hours, but there are specifics in regard to single events as well, so that information is provided in both ways in the document.

AG-3

MR. WILSON: Fred Wilson, Alamogordo. You mention overflights but you don't mention the altitudes. Will you

elaborate on that, please?

COL. HARGARTEN: Okay. The military operations area, and the restricted areas all have different altitudes. You get in a restricted area, you're talking about going up to 50,000 feet, in our area definitely, and down to the surface, in restricted areas. In the MOA's they also have different minimum altitudes. Some of them go down to 500 feet, some of them go down to 300 feet. On the low levels, there's a number of low levels listed on that one chart. But the majority of low levels are cleared down to 100 feet.

MR. WILSON: Isn't that green line you mentioned earlier, is that B-1 low level route?

COL. HARGARTEN: Can you put that slide up? (Complies) I believe you're referring to the two green lines in Texas, here, that we do not fly, is that what you're referring to, the D ones are Dyess and Dyess and Barksdale use this IR178 that goes right here, and is dark green. The light green BR 196 is also aircraft from the Air Execution Training Command and we do not fly those routes.

MR. WILSON: Are those low level?

COL. HARGARTEN: Yes, those are low level routes.

JUDGE HEUPEL: Are there any other clarifying questions? Yes, sir, your name please?

MR. WALSH: My name is JO Walsh, JO, our neighbors across the street came here from Guadalcanal, some tools to trim the

garden. He sharpened them before he returned and they should last 50 times over. But we didn't paint the wheel barrow, it should have been painted -- but anyway, I think it's a good idea to have the Germans here.

JUDGE HEUPEL: Sir, I'll take comments later on, but the question is, do you have a clarifying questions over what has been presented?

AG-4

MR. WALSH: Yes, about the noise from these planes, why not put some kind of exhaust break, to you know, muffle that. Some you can change out if you find a different design works better, to cut the noise down on some of these planes?

JUDGE HEUPEL: I'll have you raise that question during the comment period, that's really not a clarifying question. Let's see, yes, sir.

MR. ROBERTS: My name is Ken Roberts, I live here in Alamogordo. The clarification that I would like initially, I believe, Colonel, you said you didn't want any reference to NATO and those things which is understandable, I guess.

JUDGE HEUPEL: No, I'm saying that the panel isn't going to address that. I'm not precluding anybody from commenting on that during the comment period.

MR. ROBERTS: Will I be permitted to comment on the economics?

JUDGE HEUPEL: Sure.

MR. ROBERTS: So in other words, it's not just --

JUDGE HEUPEL: I'm not limiting what people comment on, from the public, what I'm saying the people up here, that's not something that the people up here will handle.

The public, I see a number of familiar faces from other hearings and I'm pretty liberal on what I let people comment on. I want to let people have their say, so I'm not stopping what people want to comment on. Yes, sir, right over here.

MR. POSEY: I'm R.L. Posey, You were talking about decibels, 63 decibels average, over what area is that average taken? The reason I'm asking is that a quiet office is about 65 decibels.

MS. PARKER: It depends on the speed of the aircraft and the altitude of the aircraft.

MR. POSEY: That's not what I'm asking; I'm asking over what area you are taking that average?

MS. PARKER: What I'm telling you is it's dependent on -- the draft EIS goes into much more detail and I'm not a noise expert but what we are looking at is, there is a center line, and depending on the measurement of the noise from that center line.

MR. POSEY: How wide from that center line is what I'm asking you.

MR. PARKER: That is also in the EIS.

MR. POSEY: You don't know what it is? I have not been able to get a copy of that EIS to read it.

JUDGE HEUPEL: Okay, the best that I can do is to suggest

that there are a number of libraries that we've got here that it's at. I don't know if there are any additional copies. You might check with somebody at the end. I'm getting some indication that there may be a copy that they can get you so you could take a look at that. But the people here aren't the experts on the noise measurement. So the best thing that we can talk about is what's in the draft EIS or if you have some specific questions that are not in the draft EIS, then they'll need to be answered in the final EIS.

MS. PARKER: Let me refer you to, it's Appendix C in the draft EIS goes into detail as to how the noise levels are determined and some background information about noise itself.

MR. POSEY: But I don't know that everybody in this room will read that EIS or understand the noise level. That's the reason I'm asking because that's a very critical question as far as any impact stage is concerned. I happen to have worked with noise a lot is the reason I'm asking the question.

JUDGE HEUPEL: The bottom line is, sir, the people here don't have the expertise to provide the answer you're asking for.

MR. POSEY: Also you talk about the EIS is put in different public libraries, a lot of us, for example, I live 40 miles from Alamogordo. And you want me to drive 40 miles to get a copy of that? And other people live out further than that.

JUDGE HEUPEL: Well, I think that they, if you'll go back to the back, the Lt. Col. is holding up a copy that he can give

you, so we can take care of you.

MR. POSEY: Thank you, what about the rest of the people?

JUDGE HEUPEL: Well, all I can say is that we'll do the best that we can do. Since you raised the question first, there's at least one copy back there. I don't know whether there's any other copies back there. There was a hand in the very back, yes, sir, with the white shirt, if you could come on up.

MR. LEWIS: Aubrey Lewis from Mayhill. The three people probably can't answer this question, either. You say negligible impact. Negligible to who? Who's making that definition?

(Applause from audience).

MS. PARKER: The definition of negligible and significant impact are defined in counsel's environmental quality regulations in the National Environmental Policy Act.

MR. LEWIS: The gentleman over here asked a good question, and you engage in technical terms. I understand the technical terms, but I guess what I'm looking for is a definition of negligible. That means all kinds of things to different people. People in Virginia or Washington, D.C., it might be negligible, without any consideration for the people here in New Mexico.

JUDGE HEUPEL: Well, the bottom line answer is that the Air Force has to go by the Federal Rules and that is defined in the federal rules, so the Air Force has to go by that, and I believe that may be, that's listed in the Environmental Impact

Statement, to derive the definition. I'm not sure whether it is or not. I don't think it is in there. Yes, ma'am.

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MS. RISER: My name is Hildy Riser; I live in Otero County. Two points, you said the Germans will pay $100 million in construction costs. Does that include them footing the bill for the entire cost of the ranches?

JUDGE HEUPEL: Col. Hargarten.

COL. HARGARTEN: It will take me a couple of minutes to find it. $100 million dollars for construction for the construction they talked about at Holloman Air Force Base. If a new bombing range is built, remember the Tularosa Basin option, would have to be $20 million; the Otero Mesa option is estimated at $4 million. Range cost alone, that I just talked about, the $20 million and the $4 million, there is a 60-40 split. The Germans would pay for 60 percent of it, the USAF would pay for 40 percent of that, whichever location is chosen. And the reason is, the F-117's, the bombers, B-1, et cetera, in other words, U.S. aircraft will also use those ranges. In fact if the Germans left in ten years, the ranges would still be here, so we are paying 40 percent only of the range costs.

AG-6

MS. RISER: Could I have a second clarifying point? The gentleman had asked a question about negligible noise from nearby flights. Could you define, please, how far away from an object, unit, person, et cetera, would be considered nearby. You have definitions, so if you could refer me to the page in the draft EIS

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or give me a definition of what you mean by a nearby flight. If I'm standing two miles away, am I beyond seeing a nearby flight?

JUDGE HEUPEL: I think the answer to that is, that's going to have to be specifically addressed in the final EIS. Section C, or the Appendix C talks about noise levels under different circumstances of noise, but specifically what you're referring to is going to have to be answered by the experts in the final EIS. Are there any other clarifying questions over what was presented? Yes, sir.

MR. FULTON: C. L. Fulton from Carrizozo. Looking at the EIS and the section starting at 311 through 320 which is the noise figures, as taken it shows charts for the noise levels at different positions around the field. Now, these, following the charts, you have average noise levels listed. There's no reference to a standard deviation or mean deviation --

AG-7

JUDGE HEUPEL: Sir, I'm going to stop you. That would be appropriate comment, but that's getting into something that's in the draft environmental statement itself rather than what the people covered here, and they're not the experts to be able to answer your question.

MR. FULTON: Let me finish the rest of my statement, sir, using your EIS. Are there charts available that show the noise levels that were actually measured? The lowest and the peaks which would be considerably different than the numbers that you show here. Are there charts or graphs showing the actual noise

AG-8

AG-8

level section? Are they available?

MS. PARKER: Yes, sir.

MR. FULTON: How would I receive one?

MS. PARKER: If you're talking about the data that was collected in order to provide the contours around the base?

MR. FULTON: Yes, ma'am.

MS. PARKER: That is collected and is maintained at headquarters, Air Combat Command. That information is generated by a co-worker, her name is Linda Merritt. If you put that as a comment, it would be appreciated.

MR. FULTON: Thank you.

JUDGE HEUPEL: Yes, sir.

MR. GRADY: Jim Grady, Alamogordo, New Mexico. The comment period ends, you said, on August the 4th, right? How soon will we receive, on the card we signed, to receive a copy of the EIS? How soon are those going to be sent to us?

JUDGE HEUPEL: Well, Mr. Johnson, I think went through the -- on the cards, this is for the final environmental impact statement and they're hoping to get that out in early November. But as he also indicated, that depends upon whether additional analysis or measurements have to be performed.

MR. GRADY: Okay, I understand what you're saying, but we need to have the draft EIS in order to make comments with regard to it. What I'm asking you is how soon will those be sent, when we sign those? Because we've only got, we're already on July 12.

We'll be out of time by August 4th.

JUDGE HEUPEL: What I'm going to have to find out is -- I'm not sure how many copies of the draft environmental impact statement are left. These sign ups are for the final, not for the draft, these are for the final.

MS. PARKER: I will tell you that we will all be back in our office from here. Those that request copies of the draft EIS, they can go out on Monday. If you request them today, we will put them in the mail on Monday.

JUDGE HEUPEL: So there are still other copies of the draft EIS?

MS. PARKER: Yes, there are. We have as many available as those who want copies of it.

MR. GRADY: So those will be mailed out on request by July -- Monday will be the 14th?

MS. PARKER: 14th. Exactly.

MR. GRADY: And I'm assuming they will be sent standard mail?

MS. PARKER: Yes, they would. You can take a look at the document at any of the libraries that they've referenced there.

MR. GRADY: I understand that. Most of us live a long ways out and we can't get to the library.

MS. PARKER: I understand.

MR. GRADY: Not to get into the comment period. But why I'm asking regarding that, if we do not receive that draft EIS,

can we then write to the coordinator on this and point out that we have not received it, and to extend the comment period?

MS. PARKER: It's within their right to do that.

MR. GRADY: That's within their right to grant?

MS. PARKER: At my level, I can't, but yes, the Air Force does have the option to grant an extension of the comment period.

MR. GRADY: Who has that right?

MS. PARKER: At this point, I will say somebody at Air Staff level in the Pentagon.

MR. GRADY: So in the Pentagon. Would that be who we need to write to, and can you give us a name?

MS. PARKER: After the clarifying, I will get you the specifics on that and I will save it here for you, if you wish.

MR. GRADY: Okay, thank you.

JUDGE HUEPEL: Have you looked at the list to see if there is any community closer to you than Alamogordo?

MR. GRADY: Yes, and there are none.

JUDGE HUEPEL: I have just been informed that the contractor has close to 20 copies of the draft EIS here. So they will make those available as long as they have copies here, especially since this is the last hearing they'll try to get those out. So I guess people will need to check back at the registration table to get those copies.

Are there any other clarifying questions? Yes, sir.

MR. RAFT: George Raft, Crow Flats. You make the

statement that this should have no impact on the water, one of your statements there, did you address the impact on the ground water resource?

MS.PARKER: That information is -- yes, it is covered in the draft EIS.

MR. RAFT: It's addressed and what was that result?

MS. PARKER: No significant impact.

THE JUDGE: Yes.

MR. CARROLL: Jerry Carroll of Oscura. I've got a question on the management of military strategy. Where do we find that. You've referenced it several times and I've been trying to find it. Where do we find it actually stated in a document?

COL HARGARTEN: We'll provide that in the comment period. We'll make sure that's provided for the referred to locations. Keep in mind there's a lot of people who are frustrated here, but if you pick up this document, if you get one of these copies, you will see that there are probably between 20,000 and 30,000 numbers in this document. And what we do is we pay the contractor, it's about to be $2 million for this analysis. There's a lot of guys with PhD's that do the noise analysis and things and quite frankly, some of the methodology contained are very complicated.

AG-9

Col. Chiatsi Osku, Command Director, he may know the answer to your question, Jerry.

MR. JOHNSON: Is the United States required by law to give their military strategy every year? I got my copy from

Rathman's International because I wanted my own personal copy. I know that in some of the large libraries, I'm not sure if Alamogordo would have that, under the Freedom of Information Act, the Library of Congress will be able to provide that.

AG-9

MR. CARROLL: Why isn't it a part of this EIS?

JUDGE HEUPEL: That's not something that the people here can address.

MR. CARROLL: Second question. It's been stated there will be total vegetation elimination in some of these areas.

AG-10

JUDGE HEUPEL: In one of the two options. In one option area, the Tularosa Basin.

MR. CARROLL: Yes. I haven't had a chance to go into detail on this EA, but I can ask it on clarifying. Was there wind study to determine what happens to the dust after the toxic weapons or whatever fires or anything else that leave residue. We have a drastic southwest wind and we have upper respiratory problems from these wind shifts and little dust devils that actually come in and pick the debris up in even an enclosed area, and disperse it--

AG-11

JUDGE HUEPEL: Let me --

MR. CARROLL: That's what I'm trying to find out, whether this was addressed, because I haven't found that in here anywhere.

MS. PARKER: If you're talking about air quality impact during construction of the new target complex in particular, I assume you're talking about particulate matter. Yes, that is

analyzed in the draft environmental impact statement.

MR. CARROLL: It is? Another question.

MS. PARKER: I'm referring only to particulate matter.

AG-11 MR. CARROLL: You mentioned toxic materials. There is a level of toxic materials by weight in this EIS, and the question in my mind, is part of that toxic material going to be distributed by our winds and into areas; you're saying particulate matter, that would be articles that could be particulate matter also, could it not?

MS. PARKER: In regard to toxic material and hazardous waste and hazardous material, we're referring to the hazardous material that's being used to maintain the aircraft, on Holloman Air Force Base, itself. There will be no toxic material appearing by the German aircraft.

AG-12 MR. CARROLL: TNT is not? Second question. The same question on the ground that is cleared from vegetation. Is there a study showing the water run-off?

MS. PARKER: That's included in the environmental impact statement.

MR. CARROLL: Thank you. One other item. It's regarding the sound level you referred to 4 - 7, this chart, it says aircraft maximum is a weighted sound level. And you referred to AG-13 sound level for the 108 decibels for Tornado aircraft at 500 feet. There's no specification as to speed of this aircraft. The question is, is this the maximum absolute noise that these things

AG-13 can make or what was the aircraft speed and how would I find that out from this chart?

MS. PARKER: It's not in there, and it would add to, to assist you in understanding that information would be included on that chart itself.

MR. CARROLL: Well, it isn't.

JUDGE HEUPEL: After the break, during the comment period, if you'd like to see that included, that would be a question that you might ask. If it would be beneficial to you.

MR. CARROLL: Thank you.

JUDGE HEUPEL: Yes, sir.

MR. HORNBACK: Bill Hornback, Alamogordo. You've mentioned in there a possibility of bringing in more GAF aircraft as your proposal. What if you had a total negative desire from the community for bringing these aircraft in? Would it really make a difference at all with what's going on?

JUDGE HEUPEL: This group can't answer that question. That's a question that --

MR. HORNBACK: They are disseminating the information as such. What, as a community, we'd like to know if there is the possibility of denying?

JUDGE HEUPEL: The no action alternative is something that Mr. Johnson talked about and that no action, which would mean not bringing in the aircraft, is a possibility.

MR. HORNBACK: A possibility only? Or a probable. So

far you've had only negative comments.

COL. HARGARTEN: Well, as Mr. Johnson discussed in his talk, the purpose this morning is to get to hear your input. The decision maker, when the decision maker goes to make his decision we want him to make an informed decision and make the best decision, as Mr. Johnson referred to.

In order for him to do that, he needs to hear that, he needs to hear that the consensus of this room is that you do not want the Germans to come. Or you do want them to come, or you prefer a certain option to the range. He needs to understand that, and the reasons why. That's the purpose of this. His decision is not made in a vacuum.

So the answer to your question is, could, based on public comment, could the decision maker chose not to do this action. The answer is yes. By the same token I would be less than honest if I didn't say that the decision maker couldn't consider all your comments which were against the proposal this day, and indeed implement. All that he requires is that the science is done, the analysis is done and what these environmental impacts are. It doesn't say that the federal agency can't go ahead and implement it. Does that answer your question?

MR. WILCOXSON: Yeah, but what you're saying is our response has no meaningful bearing.

COL. HARGARTEN: I don't want to give you today --

MR. WILCOXSON: Yes, sir, I understand.

COL. HARGARTEN: I know that those that are familiar with the environmental assessment that to get this distance from Mayhill here, if you look at the original environmental assessment proposal for that area, that thing has radically changed. The altitude, the routes, everything has changed, they have all changed on public comment, they were all changed based on public comments.

JUDGE HEUPEL: I'm going to close off the clarifying question point because I see an awful lot of people that want to make comments, and I will make sure their comments get on the record. So we'll take a ten-minute break right now. If you did not sign up indicating you want to comment and you want to, go ahead and do that, please, and there are still some copies of the draft EIS available.

(Recess was taken.)

JUDGE HEUPEL: As I indicated in the beginning, I will be calling on the public. The public I'll call on in random order. I do have two elected officials that I'll be calling on first. Because of the number of speakers that we've got, I am going to need to have people keep to the five minute time limit, so that everybody has an opportunity to speak. I've got about 25 speakers right now, so I'm going to ask everybody's indulgence to, one, go ahead and pay attention and two, not to interrupt the people.

We need to have everybody do what we've been doing before. I'll recognize you, ask you to come up to the microphone

and if you'd go ahead and state your name and where you're from, I don't need your address, but just what city so that the people here understand. And go ahead and speak. I'll raise my hand at the five minute point and ask you to go ahead and finish up at that time. And you're going to need to get up close to the microphone, maybe to adjust it, we want to make sure that everybody can hear, but I have to make sure that the court reporter can hear so that we can get your comments recorded.

At this time, I would like to call on Mayor Don Carroll. The other thing that I need to say is please address your comments to me as the hearing officer. At this time, I'll call on Mayor Carroll.

DON CARROLL: Thank you, Colonel. Welcome to Alamogordo and thank you for giving us the opportunity to be a part of this process.

The City of Alamogordo is on record as being in support of a bombing range for the Air Force on McGregor Range. We understand that there are significant economic and cultural impacts to this proposed action and there's others that will speak to those. We speak often of Holloman Air Force Base being a good neighbor. They're more than a neighbor. Holloman is a part of Alamogordo, the community, and as such, we're concerned about the future of Holloman, the long term viabilities as a base, a military base.

What we have learned as a society, I guess, over the

last 20 or 30 years is that there are environmental consequences involved in any action that we take. And I think that this process has borne out that in any of the options, there are some environmental concerns. I think that the Air force has worked hard to identify and work with us in mitigating the concerns.

I know in my dealings with Air Combat Command and with Holloman Air Force Base that they are concerned with the environment, they are good stewards of the land. There's extensive restoration action going on at Holloman now to correct things that happened many years ago. So I'm confident that in this process, no matter where the range is located, that the Air Force will, in fact, be good stewards of the land and of the environment. And I would hope that if in fact, a bombing range is located on McGregor Range, that its location is the one that's the most advantageous to the Air Force at Holloman. Thank you.

JUDGE HEUPEL: Thank you, sir. Tim Jennings, State Senator, I would call on next.

TIM JENNINGS: Hello, how are you and welcome to New Mexico. I represent Chaves County, Eddy County and a little bit of Otero County. I also have a ranch in one of those little green areas, so we're used to some of the flyovers that you have.

And to say that the planes never go below 500 feet, I guess I'll tell you to read Readers Digest because they had an interesting story about a shepherd who shot one of those planes at an angle where they were less than 500 feet, was the only way it

was possible. And for my witness, I refer you to Readers Digest.

In looking at this, I think there's some, there's nothing in here I think that anybody wants to say necessarily to stop the Germans from coming as far as for training and other purposes. I think there are some considerations that have to be made to the people who live outside the municipality. Because as I listen to this environmental impact statement and everything that was said here today, very little of it dealt with any of my issues.

AG-14

It only dealt with if you happen to live in the City of Alamogordo or in a town, we're not going to have flyovers. I think we ought to start with a couple of flyovers of Alamogordo and Roswell and Albuquerque.

(Applause.)

If we do that flyover at 100 feet, then people will know what we're talking about. I mean we're all sitting here responding to something that no one's ever seen or heard tell of. So you might put a lot of people's fears at rest if you would do a couple of these flyovers and see what they're going to do. If you plan to have a flyover at my house at 100 feet at midnight, then I expected the same treatment to the people of Alamogordo. And I don't mean to be vicious. I am just saying, you know, people have to understand how other people live.

My home is just as important to me as somebody in Alamogordo's home. There's no difference. And it is very

important. I live on the flyway of the old Roswell Airport, the old SAC base there, so I remember.

Just some of the questions that I had through here that I think should be noted in your comments. How long are the flights going to last, are they going to be every 15 minutes, are there going to be four planes in a row. Our particular ranch is on the corner of what used to be Highway 24, by the Penasco school which is where the planes fly right over our house and turn and make big squeaking turns and head back south when they come up through there flying now. And when they're flying, they come in low, it does have a great deal of effect on livestock. If they come in at 100 feet, I hope they're not low because I think my flag pole I'm putting up next week will be 85 feet tall. And so we need to be in tune with that.

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But you know, when you have a windmill that's 40 feet tall and you sit there, if they turn one of those planes up, glide it up to where the windmill is going to be damaged, and if that comes up in the damages, how are you going to respond to damages? Because are we going to respond to the German Air Force, are we going to have to call -- I mean, chances are that you're not going to see it happen, and so who's going to mitigate damages as we go out and look? I happen to have the unfortunate opportunity of having a BLM truck run into me, when I had a brand new truck. It was less than two weeks old, and it took over -- well, from June of '95 until November of '96 for them to pay my damages, it was

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$2500, I had to pay all the costs, I had to pay all the -- you know, if we're going to have that same kind of damage system out there, then we need to look into that. Because these are all things that have to be considered.

When we talk about average noise levels, I just want to talk to you. When you start talking about averages, just stop and think about in New Mexico, we have problems. We had problems with the Highway Department because our speed limits were too light -- we were driving faster than the speed limit and the Congress will allow or faster than 65 miles an hour, a rate that you had to have if they had all the rates on the highway. So they never had that problem in their life because for four hours every day in Law, they spend in the most heavily traffic time, the people going 20 miles an hour for four hours a day.

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So when you look at that, the other 20 hours of that day, you could drive 100 and nobody ever get to the average of 55. That's all I'm pointing out, when you start talking about averages, you can't go on through.

Okay, well, just the frequency, I will tell you that according to our own Game and Fish Department, the spotted owl, the bald eagles and the peregrines and they're all within your habitat area and you should look at that. I would like to see some help because of the increased traffic, if possible on Highway 54. And I guess that's it, because my time's up.

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(Applause.)

JUDGE HEUPEL: Okay, the card that came up after I shuffled and split it and took it off the bottom is Jerry Carroll.

MR. CARROLL: Jerry Carroll from Oscura. We're talking here about the expansion of the German Air Force at Holloman. I've got a list of different bases in the operations there. Starting out with the first German Air Force Training Squadron, U.S.A., Box 800, Building 283, Holloman Air Force Base, Alamogordo. And then the German Air Force Headquarters, 1021 Tenth Street, Holloman. Then we have the Federal Republic of Germany Armed Forces Administrative Agency at Fort Bliss, Texas and the German Air Force Air Defense School at Fort Bliss and the German Air Force Language School at Lackland Air Force Base, German Air Force Transportation Center west of the Mississippi River, c/o American West Air Freight, El Paso International, El Paso, Texas; and German Air Force Unknown Mission at Shepard Air Force Base in Wichita Falls, Texas. German Air Force Team, PCH 2,000 at the Yuma Proving Grounds, Arizona, Kingman, Arizona. We've got the German Air Force, Mission Unknown at China Lake, California, we've got the German Armed Forces Command, 10 North Service Road, Dulles International Airport, area code 20041 contact Mr. Rupp, telephone number 703 661 5001, fax number I don't need to put on there.

And we have the Second Fighter Training Squadron in Pensacola, Florida.

In my mind, I think we've got a little bit too many

Germans, especially if we're going to increase it by 30 more aircraft. They've already crashed one Tornado, and if they increase it by 30, perhaps they'll be lucky and pick out the middle of Alamogordo.

With that in mind, I want to read a quick one. This one has to do with Cosco. It's "Declaration of Treason in High Places" by Brenda Lyles, Bakersfield, California. It says:

"Fellow Americans, when in the course of human events, the president and the congress invents a design to reduce the people under an absolute despotism, it is their right, it is their duty to throw off such government and to restore to the people the supreme law of the land as embodied in the Constitution of the United States of America. And such is now the necessity, promulgated by repeated injuries and usurpation by the accused in attempting to establish an absolute tyranny over the states and the people, by systematically subjugating the people to a One World Government under the Communist regime of the United Nations and ignoring the unalienable rights of the people as set forth in the Constitution. Let these facts be submitted to a candid world.

They have refused to assent to the supreme law of the land embodied in the Constitution of the United States and violating their oath of office by passing laws in opposition to the supreme law and the rights of the people.

They have erected a multitude of new offices and sent their swarms of officers to harass our people and to confiscate

their substance.

They have allowed numerous unchartered entities to institute regulations to fine, imprison and even murder citizens of the various states, in effect declaring war upon the citizens in direct opposition to the Constitution. These illegal agencies include but are not limited to FBI, BATF, IRS, EPA, FEMA, CIA AND BLM.

They have allowed these agencies to attack the citizenry without due process, confiscating their property and bank accounts, imprisoning them and moving them from one prison to another, so that even their attorneys can't find them, all the while sharing the confiscated property among themselves, their various agencies and government officials, including the so-called president who gets $25,000 for each person who is convicted by the IRS.

They are working to abolish our free system of law by subjugating us to international law as embodied in the United Nations Charter, to which George Bush said: 'It is the sacred principles enshrined in the United Nations Charter, to which we will henceforth pledge our allegiance.' ...."

I've run out of time, I can't finish this but keep in mind that the Nuerenburg defense was no good, they hung them anyway.

(Applause.)

JUDGE HEUPEL: Gordon Newly.

MR. NEWLY: I'm from Las Cruces, Gordon Newly, like you said. I would like to address only one portion of what we've been talking about and that is the location of the sites. I would like to speak against the Otero Mesa site selection. It may be cheaper but I think it makes more environmental sense to use a site that's already been messed up, one that they shifted already and that's the Tularosa Basin site.

(Applause.)

On the Otero Mesa, you've got a very significant grassland area there, and it troubles me to hear them talk about taking out 1,000 acres of that. I think that from the standpoint of wildlife, grassland, livestock grazing and things like that, Otero Mesa site is one that really ought to be left pretty much as it is. I don't know how ranchers can handle livestock when they can only get in there on Sunday afternoons or something like that. That's really all I wanted to talk about.

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(APPLAUSE)

JUDGE HEUPEL: Thank you, sir. Michael Nivision.

MR. NIVISION: Let me submit this and here are copies. I'm going to be speaking on behalf of Otero County. My name is Michael Nivison, I'll be speaking on behalf of Otero County. I'll be reading a letter from the Commission Chairman. I'm not going to read the headings and what have you:

"All three commissioners will be out of town on business, and I have delegated Mike Nivision to state Otero

County's position. I thank you for allowing us time to speak and I apologize for any inconvenience.

As stated before, Otero County Commissioners would like to comment on pages ES-2. We strongly support the Tularosa Ba n portion of McGregor Range, as we feel from our cumulative information that this is acceptable to the county. We, the Otero County Board of Commissioners, cannot support the other two options.

I would also like to submit a list of concerns regarding the NEPA process. If you have any questions, Mike Nivison will be glad to answer your questions in full. A letter will be forthcoming. Sincerely, Ronny Rardin, Otero County Commission Chairman."

(Applause)

Now, I hope you don't mind if I steal a few of your statements that you all made up here, but you have suggested that the Air Force has to go by the law and I want to read these laws to you that came out of NEPA:

"The proposed expansion of German Air Force operations at Holloman Air Force Base, New Mexico falls under the authority of the National Environmental Policy Act. Public Law 91-190, 1969. Now, I'll quote you that law.

"Section 1501.5 Where appropriate the lead agency should seek the cooperation of state or local agencies of similar qualifications."

I would suggest to you that Otero County is the most significantly impacted government in this process in the NEPA proper.

"1501.2 Agencies shall integrate the NEPA process with other planning at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process to head off potential conflicts."

Now, I'm going to read the laundry list, but let me suggest to you before we start that with a document coming out, such as this, this is, Otero County has not been fully informed and has not been part of the planning process. AG-21

(Applause.)

In this document, Otero County is not on the list of personal communication, other than that Stephie Bryan was contacted to see what the subdivision plans are. Otero County is not on the mailing list and did not receive a copy of this and had to request a copy of this.

(Applause.)

We, at one of the scoping hearings, we supplied probably three inches worth of documents that had to do with our custom and culture and I have not seen any significant information in this document from those documents. No Otero public land use plan or ordinances were considered or requested. We do have a public land use plan, we have a mini NEPA for this county. It says that if the Air Force will set up the table in the planning phases, we AG-22

have given a presentation in September and NEPA says that there was not enough information to talk to us and that would be brought back in November. We have never gotten any representation.

In December, I requested from a lady up here, she would see about it, I have not heard anything. In separate meetings with Senator Dominici, Senator Bingaman and Congressman Skeen, the Air Force was asked to work with Otero County and Otero County has waited in good faith and has not been contacted by phone, in person or by correspondence. And yet the draft EIS is published. AG-23

First, I'd like to ask, does anybody take any exception to any of those items?

JUDGE HEUPEL: As I indicated before, the rest of us cannot answer any questions.

(Applause.)

JUDGE HEUPEL: I'm going to start calling two people so the next person knows that they're coming up and can be ready when the first person finishes so that we can perhaps keep it moving better. Clayton Walsh will be the next speaker followed by Ken Roberts.

MR. WALSH: What I want to say is we have to watch out about the German Air Force coming in here. You go back to history. The old Kaiser, he got defeated, he started taking over France. So he got that and the people demanded and they got somebody new. Who did they get? Hitler. Hitler worked and worked and he had the Weirmach and he got in there and what

happened to him? Got an order in the front and got ahold of him in the Crimea. We also helped in 1945 to defeat him.

Now, the German people are pushed right now, yes. For what, but they're coming out. And why do we have to give them a foothold in the Air Force right here in the United States, I fought against that principle on Guadalcanal. Thank you.

(Applause.)

JUDGE HEUPEL: After Mr. Roberts will be Hildy Riser. Mr. Roberts.

MR. ROBERTS: Ken Roberts, of course, Alamogordo, New Mexico. I lived here for about six years initially when the word was given out about the German Air Force coming here, I really got upset, I did everything I could to prevent it. And for that I've been called prejudiced and everything else, but I just want to preface my comments with I'm not prejudiced.

It is my very deep considered opinion that no foreign service of any kind should have armed troops in the United States of America.

(Applause.)

But I want to mention, I really want to spend most of my time on the economics and how the City is on the verge of bankruptcy as a result. I first want to say it's been brought to my attention that Tornado aircraft is flown both by the Italians and the French. They didn't help us in Saudi, the Germans didn't. So why this comment about this claim that it was in Saudi Arabia.

It was, but not the Germans. The other thing is, the Italians overfly Germany in their training. The English and French and the other countries, I'm sure, nobody has a training base any place in the world like this one that's been established here.

Now, I want to get into the economics as quickly as I can. The last figures that we could get from the Chamber of Commerce that were published and until I started making issues out of it, they published them every month and they stopped.

Our unemployment rate is up 30%. Eight American boys who lived on my street on Sequoia Loop, are now living on the base because they couldn't afford the rentals for the houses. Their leases were up, they couldn't pay $900 or $1,000 a month. They since have been taken the place of by 22, 23 year old Germans whose government, for those of you who don't know, pays half of their rent. So they can rent a house on the golf course, $150,000 house for $750 a month. Our boys live in barracks on the base.

(Applause.)

It gets deeper, before they came they talked about bringing German Teachers and everything here, doctors and everything else. There are no German doctors at the base. Our boys have to get appointments to get their treatment, they walk in and then walk out and say the doctors are giving it. I'm tired of hearing it.

Now again to economics. To make my point, many major stores are closing, we lost TG&Y, Anthony's is in the process of

closing right now. Our taxes are going through the ceiling, you folks that live in Otero County have no idea how much the rates are or the reassessment. On top of that, they're saying there's a shortfall, we need more taxes. Now where is this prosperity that was bought. The overflights, the gentleman that talked about the planes flying over town, I take my hat off to him because this is absolutely ridiculous and some of the folks here may not be aware that initially all of these proposals were made to accommodate the Germans and not the United States Air Force.

(Applause.)

When I sit here and hear about the plane crash, there was a little writeup in the paper, nothing has come since, was it pilot error, was it mechanical error. It was 25 miles from my house and in flying time, folks, that's two minutes, that plane crashed in less than three minutes from where I live.

I can go on and on but we only have five minutes. I also wrote a letter to the local paper, when they raised their flag at our base. To me this is the final insult and slap in the face. A huge German flag flies over a hanger at an American Air Force Base. Whether by coincidence or what, I don't know, but the following day, the flag was lowered and it hasn't gone up since. Now, I find out that on August 6th, there's going to be a big flag raising ceremony out there, both their flag and ours. I would like those who command that Air Force Base why do we have to have a ceremony about our flag going up, I thought this was an American

base to begin with.

(Applause.)

Now, people that I know throughout the country, they have no way of knowing what's going on here. I got a letter written back, called me some kind of nut, because flags don't mean anything. To me the sign coming into this City and Germans, welcoming German soldiers is an absolute outrage.

Now, to remind you, there's a group in here that thought they would retire in Alamogordo, New Mexico, they have to keep driving. It's an insult. And yet when I try to say something, I don't like Germans. I happen to be German, I don't believe any foreign troops should be here. If this was not the German Air Force, if it was the Mexican or Israeli Air Force, the people would be out in the streets picketing that Air Force Base.

(Applause.)

In conclusion, I urge those of you who are concerned over that flight pattern which is really something to be concerned about, let's stop this before the wound festers. Let's get together somehow and stop this influx of people. When our taxes go up, it will show up in dollars, probably this November, hopefully these rents will come down so these American soldiers can afford to live.

I thank you for your time.

(Applause.)

JUDGE HEUPEL: Thank you, sir. After Ms. Riser will be

Aubrey Lewis. Miss Riser.

MS. RISER: Thank you. Hildy Riser, Otero County. There were a number of issues on the biological resources, but I will submit that in written comments, errors and points that they have not included.

The point that I want to bring out today is escarpment noxious weeds, there is a county ordinance, volunteer program on noxious weed control. There's 15, 16, 17 species on that list. If you go into Otero Mesa, and you're going to be disrupting a lot of vegetation, you need to address exactly how you're going to monitor invasion of noxious weeds, you're going to need to measure grazing land, noxious weeds throughout the west has been the biggest cause of range land throughout the west, people have had to abandon their ranches because the property values declined from the invasion of noxious weeds. You need to stress how you're going to make sure noxious weeds don't invade, once you have a disturbance, any number of these weeds can invade. You need also that monitoring program and how you're going to go in and on what basis you're going to monitor those types of things, both on base and off base. Thank you. AG-24

JUDGE HEUPEL: Aubrey Lewis, and after Mr. Lewis, sitting here in the middle would be Bob Jones.

MR. LEWIS: When I came here, I didn't intend to say anything, but my wife accused me of being a big mouth. I'm representing myself as well as the Cloudcroft area sustained

building, I'm on the steering committee. We're interested in the economics of the mountain area and how we can sustain that and continue it.

That would include Elk, Mayhill, Sacramento, anything that comes close to the Lincoln National Forest are supposed to be a protected reserve for people in the country. This morning coming into town -- I also should mention, I'm a native New Mexican -- and I am quite accustomed to cussing Texas license plates. This morning coming into town, I met license plates from Chihuahua, Mexico, Ohio, Arizona, Texas, New Mexico.

People come here from all over the world to help share this beautiful environment that we have. And I suggest to you that they don't come here for 10:30 PM sonic booms and sit on the back porch and watch German Aircraft, or Holloman Aircraft zoom up and down the damn canyon. They come here to watch turkeys, deer, they come here for peace and quiet.

New Mexico is part of the United States. A lot of people in Washington have a hard time fathoming that. New Mexico is not a wasteland. Americans live here. As a native son of New Mexico, I remember a very wise old man, a rancher south of here who fought at gunpoint to keep the damn federal people off his property. He won and was permitted to stay there at his own risk. And when he died, his family lost their ranch.

My wife's family, part of her family lived north of the Trinity Site. After the first bomb in this world, or that came

from this world, all their cattle turned white on one side. Every member of that family died an early death of cancer.

The federal government accepted no responsibility for the cattle or the things being decided. My point is that the military has its nose in the tent and it has had for many years in New Mexico. Outsiders view this country as a wasteland and nobody lives there, who gives a damn? You want to blow up an atomic bomb, let's do it in New Mexico. You want McGregor Range to fire off shells, let's do it in New Mexico.

You want to fire missiles in White Sands, let's do it in New Mexico. You want airplanes running up and down the Tularosa Basin -- my question is how much more of the state do you want?

(Applause.)

You did your first environmental study, let's just mention a few little things. And yet you made some concession, you went from 100 to 200 to 500 feet. Have you ever had an airplane fly over your house at 500 feet at 10:30 at night? I've heard owls, bats, wildlife, decibels, Sacramento Mountains, the Lincoln National Forest, land set aside for the people, negligible impact. The Gila, we're proud of the Gila, that's a National Wilderness Area, for God's sake. Hazardous waste 110 new jobs, big deal.

No major regional impact economically, little impact socially, and you say that we acknowledge, you made changes because of the Mayhill public hearing. Good grief, you probably

didn't intend to fly below 500 feet in the first place, it's like buying cars. You come in on the low side so you can negotiate and come out with what you wanted in the first place.

Where is it going to stop? This isn't going to be the last public hearing, there's going to be more. For the people here, votes are what counts. Don't screw around with these people up here, write your congressman, your state legislators, your state representatives, write President Clinton, write Babbitt. But the thing is these people here have got to be heard and they need to write letters, don't sign petitions, write letters to your elected representatives, and raise hell about it.

(Applause.)

JUDGE HUEPEL: Thank you, sir. After Mr. Jones will be Marianne Thaeler.

MR. JONES: Here we go again. I guess I've attended several of these meetings and my son has attended several. And we hear the same stories again and again over this process, and of course, it's a little bit more -- I'm a little surprised because the ones I attended before, I heard not even one favorable comment in regard to this proposal that's been made. And I haven't heard one except for the mayor, Don Carroll, here today. I don't know how you have your cards there.

But we found that those of us who live in the rural areas in the State of New Mexico and especially here, have a long history of dealing with the problems that you all give to us now.

And we have never prevailed in all this time, and I think we've sacrificed more than our share over the last 50 years to try to support the war effort in the second world war, to try to maintain national events back during the cold war and all those different areas, through the Korean war, through Vietnam, through all of it, we've always been contributors over and above what most people have to do.

I do have a problem in this one because I stated before, we're not talking about national defense, we're not talking about supporting American troops, we're talking about the Air Force and I have to use that word, prostituting itself for the dollar that's out there.

(Applause.)

I have a feeling discussing this, and I won't point any fingers at some of the Air Force personnel, some of them are not all that happy about where this thing is going, either. I think when you talk about paranoia, the people talk about one world and the U.N. and all these things that can happen, the very thing that's happening here seems to kind of support that. And it's going to make people have doubts about where we're going.

But here in Otero County, I think these figures are right, I'm sure they can be checked but this is the best that I can do with it, there's 400,000 acres of deeded land in this county. Just taking the Mesa down there which a lot of people don't really realize, 100,000 acres of that is going to be in that

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flyover down there that's being impacted by, which is a fourth and that's going to stop all use, development, depress land values, do everything in the world to that land when we have those 100 foot flights of the Tornado up to 500 feet.

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Whatever comes later, because the gentlemen told me before, this is not the end of it, this thing is in perpetuity and there's going to be changes made through the years and we're going to be paying for a lot more things like that. And I'm sure it's true. And then they've got all the land that belongs to the State of New Mexico in our state land office, which is for the beneficiaries of the trust. This is one of them, right here. The value of that land is going to go down.

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The whole thing, it's going to be a real problem as I see it, outside of Alamogordo. But I was raised in Alamogordo, went to school here, have lots of friends here. I can't imagine that the people here in town are saying, well, again, we want to do something to enrich ourselves or to maintain our economy, but you sacrifice because we don't contemplate compensation or residue from anything that you have out there because we can get, you just have to put up with it this time, and you ought to be happy to do so.

This is where we, most of us, this was our town and we grew up here, we went to school here, we supported it through all these things. I kind of hope some of these business people and I know lots of them, would say if you have an alternative here,

let's flag on what does the least damage out of the country. And I would appreciate that, and I hope that I would do the same for you if the shoe was ever on the other foot, although I don't see it happening.

One other thing that I wanted to say about the EIS process, and I wanted to ask this question for clarification and I didn't do it. But I just wondered when you get someone to do the process you have a contract. And I would hope that the low bid comes in and that's who does the EIS work for the Air Force. I wonder if they have to stretch to get people that do it, collect from those routes that are out there. You said you have a colleague that does a lot of yours, did some part of this work.

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Okay I just wondered how that process worked. I have a feeling that the same people always do it, and they have an agenda. The other thing is, as I said before, if we have no other recourse but this, we are going to file a class action lawsuit and ask for injunctive relief.

(Applause.)

JUDGE HEUPEL: Thank you. Marianne Thaeler, and after you speak, George Rauch. Yes, ma'am.

MS. THAELER: My name is Marianne Thaeler. I'm the Military Issues Chair of the Sierra Club and I'm a 30 year resident of Las Cruces, New Mexico. I reserve the right to present written comments before the August 4th deadline.

The DEIS, from my perspective, grossly mischaracterizes

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the Region of Influence. The El Paso/Juarez metroplex is one of the largest on the north American continent. The Ft. Bliss cantonment area is in the heart of El Paso, Texas, and Ft. Bliss Texas/New Mexico already has subdivisions along two of its boundaries. Therefore, McGregor Range can be considered to be in suburbia.

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Southern New Mexico and west Texas is one of the fastest growing areas of the united States, and has severe potable water supply problems. Since Texas has no snow and perhaps no mountains, the Sacramento and Guadalupe Mountains of New Mexico are a recreational and tourist Mecca for Texans.

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This and the long history of public opposition to the military takeover and use of McGregor rangelands is not included in this DEIS and should be.

The DEIS makes an excellent case for the use of existing ranges at White Sands Missile Range and Melrose. But the references to the small "x" target on McGregor as a bombing range rather than the small target range that it is, further thwarts public efforts and congressional intent that McGregor be returned to full public access by the year 2001, as is set out in public law 99-606.

The DEIS makes an excellent case for the use of WSMR and Melrose, for these reasons. They have existing infrastructure roads, fire fighting capabilities which the McGregor options do not. They have established clean-up procedures, which the

McGregor options do not. They are under utilized. The two existing bombing ranges are not used from Friday through Sunday. There is existing citizen and local elected official support for White Sands Missile Range and for Cannon Air Force Base.

No new acres would be removed from public access and multiple use including hunting, camping, hiking, grazing; and grazing would continue on McGregor unmolested. Hunting areas both the public and the DOD personnel only hunting areas would not be compromised. No endangered species would be impacted, and soil, biologic resources, et cetera would be minimally affected.

The wilderness values of Otero Mesa would be preserved. I received a telephone call from Korea, from a U.S. airman who trained at Holloman Air Force Base, telling me that Otero Mesa grasslands were the only place he and other pilots could find in this area where they could find peace and quiet away from the noise and stress of flight training.

The obvious turfing issues between TRADOC, Air Combat Command and Technical and Evaluation Command would be avoided and/or minimized with the use of existing ranges option. I heard recently that TRADOC planners have planned a tank training area on the Tularosa Basin portion of McGregor, as part of their in-progress master plan. This is an example to which I spoke.

AG-30 Federal Law 99-606 already provides for the clean-up and return of McGregor to full BLM management by year 2001, less than four years from now. This is an eagerly awaited event, for historic and post-

cold war symbolic reasons.

There should be some changes made to the Draft EIS to eliminate misrepresentations, sarcasm, and threats, perceived or

AG-31 real. For example under existing federal laws Wilderness Study Areas must be managed as Wilderness. Statement on who recommends or does not recommend permanent designation by congress are not appropriate in this document. The statements regarding grazing management practices on Otero Mesa are spiteful and should be eliminated.

The repeated statement, quote, "If the action is not implemented airspace utilization would be modified for this area", unquote, leaves the impression to the reader that low level overflights and noise will occur no matter what anyone says. This can be perceived as a threat, intended or not. Noise. According to the final EA on the proposed airspace modifications, Tornado

AG-32 jets create up to 120 decibels of noise. That is about at the level for annoyance. The use of averages and number of sorties is misleading. Each sortie can have ten or more passes over a single point and 120 decibels is harmful.

Finally, I ask a question: who would manage the ranges, clean-up, grooming, fire fighting, et cetera? Ft. Bliss has

AG-33 minimal to no fire fighting capacity on McGregor. Ft. Bliss has no experience in clean-up or grooming. It does not clean up its existing launch impact areas. The US Air Force is sponsor but appears to have no other responsibility. Is this a land grab by

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the US and German Air Force?

The WSMR Melrose option would remove these questions. Thank you.

(Applause.)

JUDGE HEUPEL: Thank you. After Mr. Rauch would be Jim Cooty, I believe.

MR. RAUCH: George Rauch. My comments, again, I'm against bringing the German Air Force or any foreign Air Force in the United States for training. And if they do this, I think they could use the facilities that are already tore up, put it out on White Sands Missile Range and not add any new ones to it. As far as taking all vegetation off, I don't think you realize what that will do to this country, even if it's not a big area. It expands itself.

AG-34

I don't believe that impact statement is addressing at all the impacts, Underground Water, we're just moving too many people in here that would create that much more demand on it. Now as far as these people being here and not doing this and not doing that I can tell you from personal experience, they're already flying right square over you. They did me. I've got proof from a U.S. government topographic map. The hill that they had to fly over, after they flew over me, they had to go up over it and this hill shows to be 50 foot higher than where I was. They had to go up over it, that airplane has to go over that hill.

Not only that, but I was driving a bunch of horses

along, making a lot of dust and I guess this attracted their attention and they diverted their aircraft to come over me. I saw it, I saw the plane turn and come right square over me, and over this 50 foot hill. I don't know much about decibels but when they done that, it was damn loud.

(Applause.)

JUDGE HEUPEL: Thank you, sir. After Mr. Cooty will be Michael Dalby.

MR. COOTY: Jim Cooty, Alamogordo, New Mexico. I'm president of Otero County Cattlegrowers Association and a member of the board of directors of the New Mexico Cattlegrowers Association. And we basically all have taken a stand on this subject, which is very much against expanding the process that's being done at the present time. We don't certainly have any disagreement with Holloman and its current operation, but we do have a problem when it starts impacting us, whenever you start changing the routes and the number of flights and the things that are going to be occurring.

We value one thing in the country and we considered this whenever we moved out here years ago. Some of us were born to this, and that's the serenity of the situation. But whenever we chose that, we gave up certain things, but we knew what they were. At the present time we get mail approximately once every two weeks. That's when we come to town. We travel 170 miles to Alamogordo about every two weeks to get groceries, supplies, et

cetera.

Those of us out there in that area that have children in school and that doesn't include Bob Jones, they moved to Alamogordo, usually the wife moves to Alamogordo, the husband stays there, runs the ranch and then on the weekend they return back to the ranch. So we've given up all these things, but we knew what we were giving up when we traded. And that's what we traded for. And the people here in Alamogordo, due to some circumstances, either economic or whatever, but you live here in town. We don't begrudge you that, we don't begrudge it to you whatsoever. And sometimes we wish we were here.

But you're still our neighbors and you always will be. We traded off all these, knowing, like I say, what we were trading off for.

Now lets get into the altitude of the aircraft. I attended a meeting in Alpine and there's a map here within this room that over the southern part of New Mexico, from Holloman Air AG-35 Force Base, going out, the flight is 100 foot. That's the weather lock. In west Texas, it goes on down to Alpine, it's got a circle down there, almost all of that has been increased to 500 foot to 1,000 foot. I don't know if they think that west Texans are more sensitive than we are. I guess they must.

An additional thing is the windmills. When you talk AG-36 about planes coming over at 100 foot, I measured one of our windmills out there and it's 42 foot from the top of the sail to

the ground. Now your mathematicians can figure that for you real quick to see what that is. When we get to talking about planes flying 500 to 550 miles an hour, the wave wash coming off of that AG-36 is horrendous. If you don't believe it, go out here and stand on the highway and let a semi come by you at 60 miles an hour. And then take and multiply that out and see what happens. You know what's going to happen. If we're up on that windmill tower, I guarantee you it's going to blow us off. It will also separate the sails off of it, it'll damage the property, there's no question about it.

In addition, I guess we're lucky. Our cattle and sheep in some situations, aren't subjected to a great deal of noise, outside of the times that we cuss them. And they are at that time. But the decibel level is not anything near what you proposed. And what's going to happen and absolutely, I can guarantee it's going to happen and I think you all are hearing it AG-37 in this hearing, but I don't know whether those that are going to be making the decision can hear it. They are going to run those cattle right over a fence. I guarantee it. I've seen it occur, they're going to run horses over it, and I guarantee you that it may come up here, if we're out horseback and they come up over one of those hills on top of you, we may not be able to stay on there, either.

It wasn't too long ago, it's been about three years ago, in which we were out on some cattle on one of the mesas and that

did occur to us and I can't tell you the speed or the altitude. It was close, that's the only thing I can tell you. And after we settled the horses down and picked up the cattle, I'm going to sum it up here real quick, finished collecting the cattle and so forth, we were very much in disarray, to say the least.

I have right here, we've all talked about the decibel level. I have a device here which I'd like to show you what 80 decibel level is. May I -- I'd like to get away from the microphone. This is 80 decibel level. As far as I know, he will create, when he comes over the top of you, a level that is half again bigger than that, louder than that and it's more than that.

That's what we're going to be subjected to. I'll sum it up and I'm going to get out of your way. What I'd like to say to the people here in Alamogordo and I think there are a lot of you here, we're not big in numbers out where we are, we're becoming more limited with each passing day. And all of you in this room that are not currently in agriculture, still have a heritage of our lifestyle. Either your father, grandfather, great grandfather, mother, grandmother or great grandmother were in agriculture and when you discuss or write them on this issue, remember them and that you're expressing yourself to them through us because that's where we are now. Thank you.

(APPLAUSE.)

JUDGE HEUPEL: Thank you. After Mr. Dalby will be Mr. Hornback.

MR. DALBY: Thank you. My name is Michael Dalby, I'm the executive director of the Alamogordo Chamber of Commerce and also director of the Otero County Economic Development Council.

In 1998, Alamogordo will be celebrating its centennial. Roughly the first 50 years of Alamogordo's existence has been dominated by ranching, dry-land farming and the lumber industry. Since that time, many of those industries have died out and the second 50 years of Alamogordo's existence --

A VOICE: (Interrupting the speaker)

MR. DALBY: Please. You know, it's really interesting, everybody over here has given a lot of respect to the comments that have been made.

The economy of this area and has been for the last 50 years relied on the military. There's no doubt in the numbers that you look at, how those numbers operate in this area. We certainly don't want to lose an entire economy of an area. Certainly Alamogordo and Otero County current economies are closely tied to the military. Much of the history has included a side by side training with foreign forces. In fact, many of you know that Holloman Air Force Base originally came into existence as a training base for the British Royal Air Force pilots. Our experience during Desert Storm proves how critical the value was. The coalition forces training and operating together.

One of the gentlemen said that the Germans did not fly side-by-side with the Americans; however since that time, we've

had significant operations together. When an agreement was made to allow the German Air Force to increase training, they were already training in the United States, since 1957. To do increased training, many communities sought to host the German Air Force, primarily because of two major factors, economic development and base insurance policy.

Nothing says that Holloman Air Force Base must continue and won't be closed or cut back. Very few would argue that Holloman Air Force Base means a great deal to our economy. However, we've recently closed the Taiwanese training operation, and we recently lost the First Space Warning operations. Both of those losses, lost nearly 300 total jobs. In fact, Holloman's parent command, Air Combat Command, had flat-lined its construction budget for the next fiscal year. Which means if we're relying on the Air Force to continue to provide economy for Alamogordo and the area around us, we'd be cut back.

In fact Shepard Air Force Base in Wichita Falls, Texas is a host to a Euro-NATO operation; they see that operation as a major insurance policy to their basic existence. The German Air Force operations here have already been contributing $7 million annually to the economy and millions more in construction and jobs.

I notice that one very important statistic is being left out of this discussion and that's the percentage of 7.6%, that's the current unemployment rate of Otero County. One person said

100 jobs don't mean a whole lot. It means a heck of a lot if you don't have a job. That's the current unemployment rate, it stands above the national average of 5.3% and above the New Mexico average of 7%. When you add that rate to the numbers of people who are under-employed, people who have a job but make a wage below that needed to take care of their family, the number of people looking for Otero County jobs is significant.

The economic impact is critical, constructing a bombing range on McGregor Range is more than a German Issue. I's a key component in Holloman's future goal to attract and keep missions and goes far to increase the value of the defense triangle formed by Holloman, White Sands Missile Range and Ft. Bliss, Texas. Holloman Air Force Base gets its own dedicated bombing range which will be used by the F-117A Stealth Fighters and will be an available resource for future missions. The German Air Force invests an estimated $100 million in construction there on the base alone, and a total local expenditures are expected to grow to $18 million annually. That goes very far toward paying taxes in this area. White Sands Missile Range has less interference on its test and evaluation missions and realize that 13% of the people who work on White Sands Missile Range actually live in Otero County.

I think it's important to note that construction of the bombing range does not involve the, quote, "taking of land" it sits on land already set aside since 1957 for military training.

In fact the majority of flight routes that are proposed have already been approved and have been flown before by U.S. and other Forces.

The BLM likes to use the term multiple use, meaning ranchers, recreation users and others who have access to the land. They already have that right now on McGregor Range. BLM already auctions the grazing leases on the range. I think there's a very few, if any of them are actually currently held by New Mexico ranchers, I think that's unfortunate. Hunters are still able to go out on the range for annual hunts and recreational users can go out and camp on the range. People can hike on the range. There are other times when they can have access to the range when training is not taking place. This all happens right now and will continue even if a target complex is constructed.

I want to get back to the issue of Otero County jobs and the economy. The economic impact of Holloman Air Force Base, White Sands Missile Range and even the McGregor Range is enormous. Workers at Holloman, White Sands, even there are workers on McGregor Range who are Otero County residents and I think the key is Otero County. They live at Alamogordo, Tularosa, High Rolls, Mountain Park, Cloudcroft and other areas. In fact, in every part of the county. Thank you. I'll just wrap up here for a moment.

In fact, very few individuals, even civilians are not impacted by Holloman's contribution to our economy, even the availability of services, both public, commercial, retail and even

the value of our homes are greatly impacted by military economy. The key issue is taking care of our economy while maintaining the integrity of Otero County. One issue that has been raised in this discussion is something called custom and cultures, the essence of what makes Otero County what it is.

While it is true for many years, the custom and culture of Otero County was dominated by ranching and dry-land farming, it's clear that now we are very closely linked with the Department of Defense. As an economic development professional, I'd love to diversify Otero County's economy and attract more commercial manufacturing jobs. And while I will continue and many people in this county will continue to work hard on that effort, we don't want to neglect our military economy, it's what makes Otero County what it is today and what it will be for the foreseeable future.

Thank you very much.

JUDGE HEUPEL: Thank you. After Mr. Hornback will be Les Renderknecht.

MR. HORNBACK: My name is Floyd Hornback, Alamogordo. Having previously read this constructive notice into the record last night, I will only paraphrase, and read some of the shortened definitions. All elected, appointed and people in offices to serve the public, have sworn an oath of office to support and defend the Constitution and the laws of this State and these United States.

While swearing to your oath is a violation of the

Constitution of these United States, Article 20, Section 1 of the Constitution of the State of New Mexico and constitutes perjury, this perjury is a violation of Title 18, United States Code, Section 1621. Title 42 of the United States Code Annotated, Section 1896 Action for neglect to prevent. Every person having knowledge that any of the wrongs conspired to be done, and having power to prevent or aid in preventing the commission of the same, neglects or refuses to do so, shall be liable to the party injured, for all damages caused by such wrongful act. If two or more persons conspire for the purpose of impeding, hindering, obstructing or defeating in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws or to injure him or his property for lawfully enforcing or attempting to enforce the right of any person or class of persons, to the equal protection of the laws.

Title 42, United States Code Annotated, Section 1983, Deprivation of Rights. Every person who, under color of any statute, causes to be subjected, any citizen of the United States, thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

You are hereby, and it includes any officers of the Court, any public official present, you are hereby noticed pursuant to Title 42, United States Code Annotated, Section 1986

for knowledge of the law, as to your high standards of the law and as witness that any neglect to prevent constitutional wrongs from injuring these citizens, that if such neglect proximately causes damage, it will give rise to an action in tort.

Under Title 42, USCA Section 872, extortions by officers or employees of the United States. Whoever being an officer or employee of the United States or any department or agency thereof, representing himself to be or assuming to act as such, commits or attempts an act of extortion shall be fined under this title and or imprisoned.

Now, definitions: Air rights: The right to use all or a portion of the airspace above real estate. Such right is vested by grant, fee simple, lease or other conveyance. While commercial airlines do have a right to fly over ones land, if such flight paths interfere with the owner's use of such land the owner is entitled to recover the extent of actual damages suffered by him. This includes all property owners.

Trespass: An unlawful interference with one's person, property or rights. Criminal trespass is entering by one who knows he is not authorized or privileged to do so. The kicker: Intrusions upon, beneath and above surface of land. As stated in subsection 2, trespass may be committed on, beneath or above surfaces of the earth, flight by aircraft in space above the land of another is trespass, if it enters into the immediate reaches of the airspace next to the land, and it interferes substantially

with the other's use and enjoyment of his land.

Any person or persons having knowledge of these facts and who has fiduciary duty to act in a reasonable manner to either prevent or correct the wrongs taking place, having the power to prevent or aide to prevent the commission of same shall be liable to the plaintiff or his legal representatives for any and all damages caused by such.

And looking at the environmental impact statement, it has problems, it has misinformation, it has disinformation, it uses information slanted toward the desire and benefits as the needs of the German Air Force, in total disregard to the American people. If the draft environmental impact statement was compiled with affirmation of oath and under penalty of perjury, there would be a tremendous paper savings on this.

I stand in full support of the no action alternative and in full opposition to having any armed, foreign military force, housed on American soil, especially New Mexico, especially of any military sworn to uphold the U.N. charter.

Thank you, sir.

(Applause).

JUDGE HEUPEL: Thank you, sir. Let's take a short break at this time.

(Recess taken.)

JUDGE HEUPEL: Mr. Renderknecht had to leave and so he will not be speaking. The next speaker that I'll be calling up

will be Linda Rundell as I indicated before and let me go ahead and come up with a speaker after her. And that would be Maude Rathgeber. If I could have everybody's attention so that we could hear from Ms. Rundell, please.

MS. RUNDELL: My name is Linda Rundell, I'm the District Manager for the Bureau of Land Management in Las Cruces.

I'd like to state for the record that I am not the BLM employee who ruined Tim Jennings' pickup truck.

The BLM has stated on numerous occasions in the last 18 months, we do not favor the development of a new bombing range on withdrawn public lands on the Otero Mesa portion of McGregor Range. To do so when other feasible alternatives exist would be environmentally irresponsible. We believe there are opportunities to make significant additional use of the existing bombing range on White Sands Missile Range. Red Rio and Oscura could be more fully utilized if the Air Forces would train on weekends and not limit themselves to training only during week days.

AG-38 However, the opportunity to make more full use of the existing ranges by incorporating these issues was not covered in the draft EIS. We do not feel the rationale that the Air Force does not want to work on weekends is sufficient justification for not exploring this opportunity. We would like to see the omission of this opportunity corrected in the final EIS. If additional utilization of the Red Rio and Oscura ranges does not fully meet Holloman Air Force agency needs, the BLM urges you to look at the

Tularosa Basin alternative as the location for this proposed bombing range.

This site has already been impacted in the past by military ordnance and the environmental impacts are much less than would occur on the Otero Mesa and mountains next to the site. The argument that it would be too costly to clean up unexploded ordnance in the Tularosa Basin falls into the category of pay me now or pay me later.

In 1986, the Congress of the United States directed the U.S. Army in public law 99.606, to clean up the Tularosa Basin. To date, nothing has occurred to comply with the law. To suggest that another area be contaminated because it is too costly to decontaminate the Tularosa Basin site is simply unjust.

In the draft EIS, you state that Otero Mesa south of highway 506 would be closed 60 hours per week due to the Otero Mesa proposal. In a 5-day work week, this would be 12 hours a day. Which 12 hours of the day do you want? Certainly you want the same 12 hours of daylight that public land users want.

You also have not addressed this closure as being in addition to the closures already imposed by Ft. Bliss. This effectively amounts to a total closure to anyone but military personnel during the week days.

AG-39

The issue of access under the Otero Mesa alternative is cavalierly dismissed. On page 4-39, it is stated that the fact that access would prevent various uses from occurring during the

AG-39

closure period would be inconvenient. Since we perceive that we can use Red Rio and Oscura, was not addressed because it would be inconvenient, we infer that it is preferable to inconvenience ranchers, sportsmen and the general public.

We strongly disagree that the stated noise level over the Cope Canyon Wilderness State area are compatible with wilderness management. And question how this statement could have been made. Low level flights are hardly compatible with the feeling of solitude that is expected in a wilderness study area.

AG-40

We are concerned that impact to endangered and sensitive species are not fully assessed and view this as a serious deficiency in the analysis. The BLM is currently funding a five-year study to assess the impact of livestock grazing on alpomado falcon habitat. It seems reasonable to assume that low level flight and bombing score keys would have a disturbing effect on these endangered species.

AG-41

We did not find evidence in the draft EIS that the required consultation with the United States Fish and Wildlife Service had taken place.

Let me close by saying the BLM is not opposed to the beddown of the additional Tornados in Alamogordo if the social and environmental concerns can be addressed. We do believe that there are significant social considerations which have not been assessed and I would like to repeat that we believe there are at least two feasible alternatives which should be looked at much more closely

than the Otero Mesa proposal.

(APPLAUSE.)

JUDGE HEUPEL: Thank you. After Maude Rathgeber would be D D Oliver.

MS. RATHGEBER: Thank you very much, sir and we appreciate your presentation here this afternoon and this morning. I think a lot of vocal audience has been demonstrated and I think you have heard their comments. I would like to thank Senator Tim Jennings for coming over today; I think he has now left the building. We appreciate his comments. I'd like to thank Mayor Don Carroll also for his comments and the City's recommendation for the alternative, the McGregor Range. I would like to mention that we have Representative Gloria Vaughn in the room. Gloria Vaughn represents District 51 from Otero County in the New Mexico legislature.

This past week I talked with both our representatives, Terry Marquardt who represents part of this county in Santa Fe and I've talked with our senator, Diane Duran. They both had to be out of town today for professional meetings and they expressed their concerns, they could not be here. They did want to be represented by this mention.

Taking up on what was presented from our Otero County Commission, this is the point I would like to make and I will be brief. Our county people, our county commissioners all across the United States are elected to represent their counties. They are

the main people who represent and serve all of the citizens in the county. They are the people for whom every person registered in that county can vote. In the process that would occur, presented earlier, in this process of the EIS, our county was not brought to the table or brought into the room, as they had requested. Our county, Otero County, is the second largest county in the State of New Mexico and almost half of our people live in the county area, not in the City of Alamogordo or incorporated areas.

AG-42

My point is because our county commission was not a part of this process, through whom citizens out in the rural areas could speak, I feel that a number of our people were disenfranchised in this process and I believe that is why you feel tension in this room from so many of the folks who live in the rural areas. It is regrettable that our commissioners are not here today. But they are out of the county on business, county business, wherever they are. I talked with all of them.

When the EIS report came out recently, and I saw the item in the paper for these meetings, I called two of my county commissioners to discuss this with them and to see if I could see the EIS report. They both told me, we have not seen it, we didn't even know the process is completed into the hearing process. I think that's important that this message be taken back to all of you folks, the county commissioners must be included.

(Applause.)

Being a student of history most of my life and I am a

native of Alamogordo, my grandfather homesteaded the very piece of property where the gate of Holloman now is, many years ago. And until a few years ago when that area was cleared off, some of his so-called improvements still remained right there near that gate site. My family has been here very long. We have seen over the years, the ongoing process between the military and the citizens of Alamogordo and this county. It has been rough sometimes but by and large, most of those problems that have exited have been resolved, to the benefit of everyone possibly who would be involved.

But as a student of history, let me remind us, and I think most of our people here realize this, that the Tenth Amendment of the Constitution provides that whatever is not written in the Constitution is delegated to the states and there is another part that's there, and to the people. Again I make the point that many of our county people were not brought into this process.

Also the mission statement or the preamble of our Constitution, one of the reasons for our establishment as a Constitution and as a nation, is that we provide for the common defense. Are we really, really, really thinking about the common defense of our nation, the United States, in this discussion at this time. Thank you very much.

(APPLAUSE.)

JUDGE HEUPEL: Thank you, ma'am. After Mr. Oliver will

be Tom Reeves.

MR. OLIVER: Colonel, I'm D D Oliver, and I also was born and raised in this county and this valley out here that we've been talking about. In fact, we ranched directly between Holloman Air Force Base and White Sands Missile Range so we are very knowledgeable about what goes on with Holloman and White Sands.

What I'd like to talk about more than anything else is truth because any time you're dealing with government agencies, the question of truth comes along. We, my wife and I sat at the coffee table many, many mornings as we were right in the flight path of the aircraft heading off from Holloman Air Force Base. A lot of times we'd have to stop our conversations because we couldn't hear each other. And my wife would always say, don't say anything, they're our aircraft. I wonder what the people that live out there now are going to say when they're German aircraft.

I fought in two wars. The first war was World War II where I was wounded on Okinawa. The second war was the war we fought against the federal government in the taking of the White Sands Missile Range. We were the enemy. There was very little truth in that. All of that was in the name of National Defense. Where's national defense now? We don't have it any more. We are a world organization. I think in your environmental impact statement you ought to mention the word truth, because I see very little truth in any government agency that comes out, coming out of the statement. Take this spotted owl and goose hawk and this,

that and the other, we know good and well that the truth aren't in those things.

So, I don't know. It really hurts me deeply, deeply, to see what's going on with the military in this area, because we've been here forever. I think truth, truth, where is the truth in our government? Where is the truth in our military, where is the truth in our environmental areas? Sir, I'm totally against what's going on right now. Not only in this area, but what our nation and the situation we're getting into. I appreciate your time in letting me say a fey words.

(Applause.)

JUDGE HUEPEL: Thank you, sir. After Mr. Reeves will be Alton Posey.

MR. REEVES: Thank you. I'm Tom Reeves, Alamogordo or Otero County. I would like to say that my wife and I probably have the oldest history of anyone in this building as far as being Americans, my wife being a Native American and the Reeves family having come from a debtors prison in England in the early 1600's. I have seven great, great uncles who died fighting in the Civil War for the Illinois troops, Militia.

It makes just about as much sense to me to say that the Germans shouldn't be here because of World War II as it does to say South Carolina shouldn't be assigned to the Great Lakes Naval Base because in both cases, it's the same principle, as far as I'm concerned. In fact, I think a larger percentage of my German

friends would admit that World War II was a mistake, just as some people would, in the south, admit that the Civil War was a mistake.

I, too, am a farmer and rancher. In fact, our Oklahoma farm is one of the oldest, if not the oldest, that has been in the same family and farmed longer by the same family than any other in the State. It's ten miles west of Altus Air Force Base. They've got to train three fighters there, they fly low and I bet they make as much noise as the Tornado. They're near cattle and we made 37,000 bushels of wheat this year, so it didn't hurt the wheat crop any.

Alamogordo would be nothing more than a little Carrizozo type town without Holloman Air Force Base. You wouldn't have the choice of doctors, you wouldn't have the Flickinger Center, you wouldn't have other facilities. This would be just a small desert town without having Holloman's presence here. If Intel were going to increase its operations by 10%, and they were located here, we'd probably all go out and have a party. I think we should do the same with Holloman trying to expand because the Pentagon attitude toward compacting military operations, if we don't expand, we may lose all.

I have had the privilege of flying in a helicopter on a bombing run in Red Rio. The most impressive sight I saw was as we came out of the run, looked up, and across the ridge baldy were all kinds of animals. I was told there was more than 100 in that

herd. They didn't move until we got right up on them, they didn't seem to be bothered too much by our presence, they didn't run to make way for the helicopter, they didn't for a long time. I am told by people who should know that the White Sands Missile Range is one of the most naturally preserved, or the largest naturally preserved area in the United States. And I would expect the Air Force to be at least as good as the Army. Because of those reasons and because of the economic impact on this community, I would like to support the building of the bombing range for Holloman Air Force Base, it needs its own place.

JUDGE HEUPEL: Thank you. After Mr. Posey, will be R.C. Posey.

MR. POSEY: My name is Alton Posey. I was born about 12 miles up the road about 65 years ago on the 16th of May, 1932. I joined the Army right here in Alamogordo. I think I did my share, I got three Purple Hearts. I didn't come up here to brag on me.

I want to make a point, hey, who comes first, me or this guy that flew in from Germany yesterday?

(Applause.)

I want to reemphasize a question that Mr. Lewis asked while ago, where does this end? Are you going to take the whole state? You see, my little wife and I, we worked for many years for our retirement. And we could have went any place we wanted to, any place in the 50 states but we chose the place where we grew up, right up near Sacramento, New Mexico, here, last

inhabited house going up the canyon. Raised a few calves for us and the kids, have some horses and riding. Even if my wife can't ride that horse at all, she's had back trouble. That's the gentlest old horse in the world, but when a jet comes over, rattling the tree tops, she'd be on the ground. She's being denied, I think, her right as a citizen.

Some three or four months ago, we were sitting there in the little house we spent half our life's savings building, and I heard a jet come over, broke the sound barrier, broke two windows, cracked the fireplace to hell. We put a lot of heart into that. And if old Jimmy Goss gets drunk again and runs through my fence, but anyhow, he'd be dead if he did. But let me tell you he'd be up there the next morning to repair the damage to my property. I wouldn't have had to ask or go through 14 people like the Air Force. I call and complain, you know, when I walk out on the front porch and I look over here and see these jets going by and I can see half of that mountain right there in front of my house above that airplane, he's too damn low, period.

I know about low flying planes, I had them over me, they saved my butt a thousand times in Korea. We need that.

Our budget says we've got to cut back on the military budget. If we do that, how come we can afford to bring in somebody from Germany and help them out, how could -- and then, too, a man earlier mentioned, you go out here to the base, get medical treatment, you don't get any, because it's being taken up

by other people. Hey, this ain't right. You know it's not right, I know it's not right. It's economics, that's what.

It's because, naturally, the Mayor, some guy that works for the Chamber of Commerce, sure bring more people into town, it will help the businesses here. But what about the people that have been here forever, like my grandpa built the old white two story house and the big red barn up there that we call Cloud Country now, almost 100 years ago. Somebody said, let's give them some consideration.

I'm going to shut up and sit down. I'm not a speaker like some of the people that have been up here this morning. But I feel pretty strongly about this and I'll tell you, there's a lot of people that are not here because they are afraid of the government. They say you get your name on the list and you'll end up being Ruby Ridge No. 2.

We shouldn't have to be afraid of our government. I'm not afraid of them, I'll fight them until hell freezes over. Whoever takes away from what me and that little woman worked for so many years for. Thank you.

JUDGE HEUPEL: Thank you. After the second Mr. Posey finishes, it will be Don Lee.

MR. POSEY: Alton and I are cousins, I hate to admit it a lot of times, but anyway our grandparents came here from Texas in 1887. Also had two other ancestors that came here in the 1880's and settled in the mountains. I don't know about Bob Jones, but I

do know about Maude. She was born in Alamogordo and I was born in Alamogordo, too, and was raised in the mountains up here. In fact, I'm living on the little farm my parents bought in 1935. But I couldn't make a living there when I got to be out of high school, and so I went on to school, to college and thought I learned something, but I didn't learn much.

And so I worked for many years, the last 24 for the Air Force. I was in what was called the Separate Operating Agency. We did the operational testing for the Air Force, we did a lot of testing on White Sands. And to me, I learned by working with a lot of generals that each general has to have their own little fiefdom. White Sands has to have theirs, Holloman has to have theirs, Fort Bliss has to have theirs. There's very little cooperation and I don't see why the Air Force and White Sands cannot cooperate a little bit better and use that range. It was mentioned before, if the pilots would fly on weekends, they could use White Sands. They kept talking about the research and development having priority. I have been in research, did testing for many years and I understand what goes on out there. There just needs to be more cooperation between the agencies, that's all.

Also we talked about in the environmental impact statement, you talked about these fly ways are already approved for the cruise missiles. I happened to be on the operational testing that tested that missile. It does not make near the

noise, it doesn't go near as fast as the other airplanes, they flew very seldom because it was a limited resource. Every time they had it on the flight list, take a plane with it to make sure it did what it was supposed to do.

There's no comparison between the falcon and a jet as far as noise or anything else. Also, I want to take issue with the man from Alamogordo that talked about we didn't have an agricultural industry in this county any more. I think he needs to check the records. Millions of dollars are poured into this community from the agricultural community.

(Applause.)

One reason the logging industry is down is because of some liberal judge and somebody said we've got a spotted owl out there you've got to protect. It's not the people that want to manage the forest, it's not the people that are making a living on the forest, it's some liberal judge in another state that has decreed that you can't cut.

AG-43 Also we talked about the Germans being here, I'm just wondering, how many taxes do they pay? I doubt they pay very little except the gross receipts of the tax on their food that they buy here. We also talked about endangered species, we're not going to fly over endangered species. I think people are endangered species, too.

(Applause.)

Also the stock these ranchers raise to support

themselves are an endangered species. One thing most people don't realize. We talked about decibels. I worked in noise for a long, long time. I'm very familiar with it. We talked about average decibels being 65 which is approximately an office building. What most people don't realize, the noise level doubles every 6 db's. So if you go from 65 db's that they say is the average noise level, to 125 db's when one of these Tornados flying over, you aren't just increasing it by a factor of 2, you're increasing it by a factor of over 2,000.

(Applause.)

JUDGE HUEPEL: Thank you, sir. After Mr. Lee will be Martha Cooky.

MR. LEE: My name is Don Lee and I'm a resident of Alamogordo and also a rancher. One thing I'd like to address and AG-44 I don't believe that it's addressed in the EIS, what the low flying aircraft will do on the reproduction of livestock.

(Applause.)

JUDGE HEUPEL: Thank you, sir. And the last card I have after Mrs. Cooty will be Tom Cooper. I believe that's the name.

MS. COOTY: My name is Martha Cooty and my mailing address is Alamogordo, but I live on the back side of McGregor Range on the Otero Mesa, so this is a very real part of my life. First of all, I was born here in Alamogordo, that's always been a very important part of my life and it still is. And Holloman is important. And I support Holloman, it's been an important part of

our community and our economy. I mean, I don't have any qualms about saying I support Holloman Air Force Base. I do.

I have a couple of questions I'd like to submit, though. As I say, I live back over there where these things are going to be flying. And I'm concerned about safety, I'm concerned about my safety, my family's safety, the safety of our property, the safety of our livestock. I'm concerned about that.

I have a few questions I'd like to submit. Since these Tornados are not American planes I question how mechanically safe they are. Didn't they have a lot of incidences of ejecting in the Gulf War and weren't they mechanical failures? Haven't they had a lot of problems lately? Do they meet the same safety standards as our American planes that are flying at Holloman? Or anywhere in the country. What about their safety standards for dropping their bombs? What if one of these accidentally dropped his bomb on my house? I'm concerned about those things. How well trained are their pilots and ground maintenance crews that will be preparing these planes for their flight? So anyway, the overall safety of these planes, the pilots and their flight is a real concern to be because they're going to be flying over my house.

AG-45

AG-46

AG-47

Another issue that I was kind of wondering about that I guess maybe is incidental but I think it needs to be answered and I guess maybe, Judge, you could answer this, I don't know. Will these folks coming from Germany have political immunity, what if we get a pilot so that he gets out and he comes over and he blows

AG-48

my house up, do I have any recourse, legally, to file criminal charges, or what recourse do we have as far as criminal charges for an individual that might be coming to live in our community?

AG-48

Thank you.

(Applause.)

JUDGE HEUPEL: Thank you. Is Cooper correct?

MR. COOPER: Yes, sir. My name is Don Cooper, citizen of Alamogordo and of New Mexico.

It's kind of hard to be almost the last guy you know, because there's a lot of semantic problems. And a lot of stuff relating to the fact that 300, this kind of thing, I can predate that about 13 years. My family dates back to 1587 from the great commonwealth of Virginia bearing the Cooper name and they were the first citizens of that town.

This is my home now. By choice, not chance. I served with honor and distinction from the U.S. Air Force out here at Holloman Air Force Base, when this was Air Research and Development Command. At that time they were messing around with a few oddball things known as the B-1, B-2, the Corporal, the Locklear, the G-1, G-2, all those other toys that the government played with.

I think it is an abomination to the Constitution and to the U.S. Air Force and to the military of this country to have to work side-by-side, when they have been adversaries to this country ever since the 1900's. They go back, when they tried to institute

a deal between Mexico and the United States to prevent us from getting involved in World War 1. And even predate that by the revolutionary war when they fought on the side of Great Britain.

But let's bring you up to date to World War 11, we had to fight them again. Now we're supposed to be good neighbors to them. Well, if I have a neighbor like the Germans and had to fight him every 10, 15, 20 years, I don't think I'd like to have them as a neighbor.

Now, my complaint is with the Air Force, the American Air Force. Do I like the idea of having to watch flag raising of a foreign entity on the sacred grounds of Holloman Air Force Base. That's why I'm out here, because I love the earth, I love those people. I don't like the idea of having to share it with an adversary that at some time or another, I'm sure that we will have to take on once again.

Now, we've talked about people and their birth places and everything else, it's kind of hard for me to remember when I was being born because I was born in 1938. But the fact is that we have a great country that's being ripped apart. We have a great state being ripped apart. We have a great county, we have beautiful -- and we want to save the bats and the buzzards and the bugs and everything else, and yet, we don't address the simple fact that the backbone of this area is the farmers and the ranchers and they're taking the brunt of it. And it's not right.

You talk about the economy here, take a close look at

Alamogordo. Look at all the big, empty buildings, look at the number of businesses that have gone out of business. Norm Arnold, TG&Y, that's been split up 19 different times. There's buildings all over so I don't know where the people get the idea that the influx of these Germans are going to have an impact on the economy of the City of Alamogordo in coming years, because it hasn't, it won't and never will. Because if they buy a big item, they don't buy it here in Alamogordo. They usually wind up in Las Cruces or El Paso or even go to Albuquerque.

I don't know, I guess that's about all I want to say. Just the fact that I don't like the idea of having to cozy up with somebody we've had war with three or four times. Because sooner or later, we'll have to do it again. I can't understand why we are expanding NATO when NATO was formed in the late 50's as a deterrent for the eastern bloc countries. And now, we're inviting those same people from the NATO program to expand. For what?

Now, you were talking about the United Nations Forces. Now they don't refer to the United Nations Forces, they refer to the NATO forces. Thank you.

JUDGE HEUPEL: Thank you, sir. That's all the cards that I had turned in. Did anybody else turn in a card that I failed to call? I don't see any of those. Is there anybody who did not turn in a card who wants to make a comment at this point? Yes, sir.

MR. CHRISTENSRN: My name is James Christensen, I wasn't

going to talk too much, but here lately I've had a lot of time and received the draft EIS in the mail and I haven't had a lot of time to go over it like I should have. But anyway, there's a lot of errors and stuff in it. You probably need to go back through the draft and look over, I think Linda -- I work for the Bureau of Land Management, and Linda covered pretty much all of our views.

My job out there is to keep the improvements and stuff up on McGregor Range. There's lots of little errors in there that I noticed, pipeline sizes, storage capacity sizes, it's probably people just kind of overlooked it, but it makes a lot of difference when you're trying to run it on the ground. I heard several deals about the livestock numbers that will be released, won't be affected, you know, 80 head or 60 head. It probably won't make that much difference in a 2-mile by 4-mile square. But the buffer zone around this thing is going to have an effect. And I've had several people mention that they feel that that one little bitty area ain't going to affect the whole picture there.

AG-49

And it's going to do it. I haven't had any success, I guess, explaining how much time it takes to deal with the pipeline stuff. Half the people in this room right here, they can tell you how much time they've got to spend on improvements on their property. They're talking about the windmills, the pipelines, the fences, all this stuff takes time.

And if you go in there and put that thing on the mesa up there, then there's at least 100 section buffer zone around the

AG-50

deal. It's going to cut all access off to another about 50, 60 sections on south which will be outside and there won't be any access into it. So all the water system and the improvements down there are going to go downhill because we can only get in there two days a week which will be Saturday and Sunday. And we're willing to work on Saturday and Sunday if that's what it takes to make this thing work out there. But it's still not enough time to deal with improvements.

AG-50

There's also little areas in there too, the birds out there, it only addresses part of them that are out there. I know one that we jumped on right away, is we see them all time, the coyotes. They weren't even on the list of animals. There's coyotes all over the place, and badgers and fox, lions. Quite a few lions and I noticed they weren't even addressed in there. And I'm sure that's just an oversight. That's my main concern we live out there every day. I have two guys that work for me and you can ask any rancher here how much time is involved on a deal like that. I noticed it also says in there this will only affect areas 9 and 13. That's where the site is going to be kind of laid in there. The one on the mesa there is going to be laid between the two units there. But it says the same things about the effects in unit 14 which will be inside the buffer zone 12, 11, 13, all these other units are going to be affected. 9, 10 and 12, they all have to gather into this one set of corrals that's right there. There's no access for any of that in there. So it's going to

AG-51

AG-52

affect more than just a few units that are addressed in there now.

It's going to affect 5 and 6 of the units. You go in there and you start gathering these units and these guys only have a few days to work their cattle in there. To gather these cattle and bring them in the trail there, they're going to miss some. They're trying to get trucks lined up to get these livestock off the range. The way we've got it set up now, BLM, there's certain times of the year we have to move the livestock. That's not going to give these old boys enough time to get in and get out. We just had a case last week where an old boy came in there and he thought he could do it all in one day. When he left, we picked up several babies that they left, because they were in a hurry, that was his choice.

AG-52

But when the bombing range goes in there, it won't be their choice, they're going to have to go in there and grab them and go and it's going to have a great impact on the livestock. Thank you very much for your time.

(APPLAUSE.)

JUDGE HEUPEL: Thank you. Let me just say you noted that you saw a lot of errors, and whether it be small errors or not, if those errors are in part of the BLM submission, I would encourage you to either send them in yourself or to make sure it's part of the BLM submission because that's what the comment period is about, is to receive all your comments, but particularly if there

are errors or if there are things that we're not aware of or it's been done wrong, to make sure it's brought to the attention, so that we look at that and see what kind of differences those things make. So I really encourage you to point those out if you would.

Ma'am, I believe you haven't spoken and you'd like to speak?

MS. MERRITT: I'm a rancher and I run a small ranch by myself.

JUDGE HEUPEL: And what's your name?

MS. MERRITT: My name is Margaret Merritt, from Pinon. I have no copy nor did I see one. I have done several years of ranching. 55 years ago, there was not much going on in the Tularosa Basin except the train came up every day from El Paso to Alamogordo. And over there on the Otero County allotment is where we spent our honeymoon. I like my ranch, I plan to stay, planes or no planes but I have one question: Has any of us thought, is this what we want for our grandchildren? That's really all I have to say.

JUDGE HEUPEL: I appreciate it, thank you, ma'am. Anybody who hasn't spoken. Who would like to say something?

MR. POSEY: I'd just like to add, if Bob Jones files a lawsuit, I'll be right with him.

A VOICE: I just need a second. First of all, I want to thank all of you here because I thought that I was by myself on this. Obviously, I'm not. I want to mention that our elected

officials who came here are our mayor, the head of our Chamber of Commerce, and I believe Mr. Reeves, too, the publisher of our local paper. They literally gave us the finger, they left. They didn't want to hear what the other people said. So we should remember that when these things come up. Thank you.

JUDGE HUEPEL: With that, I want to thank everyone for coming to the meeting. May I just remind you you can send in comments, you can write them down tonight, or send them in later. I encourage you to do that. If anybody still needs a draft EIS and did not get one, if you'll come up, I've got one I'll give you.

Thank you very much.

(Hearing concluded at approximately 1:20 o'clock P.M.)

STATE OF NEW MEXICO)
) REPORTER'S CERTIFICATE
COUNTY OF OTERO)

I, DAMA WIMBERLY, CCR No. 14 within and for the State of New Mexico, do hereby certify that the foregoing and attached transcript of proceedings of the public meeting held July 12, 1997, at 9:00 o'clock A.M. was reported by me and that the transcript is a true and accurate record of the meeting to the best of my knowledge, skill and ability.

Dama Wimberly

DAMA WIMBERLY CCR. NO. 14, NEW MEXICO

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
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Judi & O'Hara	SACRAMENTO NM	88347
Jonna Lou Schafer	PO Box 316 Dell City Texas	79837
Brig. Gen. R. Fulton	P.O. Box 9 Carrizozo NM	88301
Bill HORNBACK	% PO Box 1586 Alamogordo NM	88310
Dorothy Thomas	Cong. Joe Skeen 1108 So. Main Las Cruces	88005
Dr. & Mrs. RICHARD HERMAN	1702 JUNIPER DR ALAMOGORDO NM	88310
Thomas C.B. Olin III	Box 582 La Luz NM	88337
Arnold & Florence Kolb	Box 1898 Alamogordo NM	88310
Ed BLABSON	1407 Scenic dr ALAMOGORDO NM	
Nancy Wizner	PO BOX 1086 HAFB, NM	88330
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Barbara Brand	P.O. Box 101 Sierra Blanca,	TX 79851
Elaine Hodge	" " " " "	"
Sam Hodge II	" " " " "	"
Doug Barbour	1737 Monte Vista Ct Alamo	88310
Dwight Brother	Box 308 Pinon	88344
JERRY CARROLL	PO Box 746 Carrizozo	NM 88301
Bonnie & Washington	740 Epic Dr. El Paso, Texas	79912
Dixie Tucker	Box 37 Tularosa	NM 88352
Margaret F. Merritt	Box 97 Pinon,	NM 88344.
Carol Peery	Box 41 Sacramento,	N.M. 88347
Alton Peery	Box 41 Sacramento,	N.M. 88347

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Raynard Tapia	1406 Evelyn Las Cruces	NM 88001
James Christensen	28 Derbyshire Tularosa	NM 88352
Carol Beckett	PO Box 1105 Tularosa, NM	88352
John Chamblee	2456 Cherry Hills Dr. Alamogordo	NM 88310
Pete Cook	5 Escopeta. Alamo.	88310
Michael Dalby	~~P.O. Box~~ 800 Zia Dr. Alamo	88310
Katherine Hogue	267 Eagle Loop Alamo	88310
Innis Lewis	P.O. Box 611 Alamogordo	N.M. 88311
Bill Conrad	208 Sunset Alamogordo	88310
Jerry Harrell	3476 BRS	Alamogordo 88311
Clayton E. Hadsell	3330 Murray L.S. Ex Sandia Labs	
Maneuel Gomez	Box 314 Pinon NM	
Denise Traish	8462 Nat Park Hwy Carlsbad	N.M. 88220
Phillip Vaughan	503-16th	Alamogordo NM 88310
Dale Keller	P.O. Box 52, Pinon, N.M.	88344
John Olin	PO Box 58, La Luz NM	88337
Audrey Lucas	PO Box 86, Mayhill NM	88339
C Harris	1903 Dewey Ln	
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GORDON JEDING	4040 Cholla Rd,	LAS CRUCES NM 88011
Estelle Moser	731 Saddle Court -	Alamogordo, N.M. 88310
ABDE LEWIS	P.O. BOX 144	PINON N.M. 88344
H.B. [illegible] Jr.	Box 10	La Luz, N.M. 88337
W.C. Burrell	Box 92	Alamogordo NM 88310
Pete Lewis	Box 368	Dell City, Tx. 79837
Paul Kaiserkamp	496 Pinon-Penasco Rd.	Pinon, NM 88344
Nancy Cookson	P.O. Box 1021	Alamogordo, New Mex. 88311
Duane Stovall	1799 NM Hwy 24	Weed N.M. 88354
Mitchell Nunnery	Box 381	Cloudcroft NM 88317
Mary Cabot	1498 Rhodes & Cameron	
Jay Schuyler	Box 316	Dell City Tex 79837
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Dorothy Lewis	Box 295	Dell City, Tx. 79837.
Lisa Turner	ADN	
Patty Gosney	P.O. Box 46	Mayhill, N.M. 88339
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DON CAGGIOLI	1505 ARIZONA	ALAMOGORDO NM 88310
MARIANNE H. THAELER	2015 HUNTINGTON DR.	LAS CRUCES, N.M. 88011
J. Gallegos	P.O. Box 684	La Luz - - N.M. 88337
Kendall Goode	P.O. Box 515	Weed, NM 88354
Joint Frontier Bureau	1209 Florida Ave	N. Mex 88310
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Linda Rundell	1800 Marques St	Las Cruces, NM 88005
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Bill Taylor	PO Box 98	Pinon, NM, 88349
Yvonne Oliver	PO Box 10	La Luz, N.M. 8853
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Zelma Smith	p.o. Box 92	Alamogordo
Bernice Krieglamp	1936 Pinon Deerhead Ld.	Pinon, N.M 88344
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D.A. Tanner	Box 306	Pinon N.M.
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[illegible]	2745 Sonora [illegible]	88330
Frances Blea	14 Weed Rd	Weed, N.M. 88345
Jimmy Lyons	687-3648	Weed N.M.
Hazel Parker	[illegible]	[illegible]
Mell Akers	Box 488	Weed, N.M.
Flora Lea Lewis	Box 237	Dell City, Tx.
Agsby Lewis	"	"
[illegible]	Box 495	Weed N.Mex
Marsha Sloan	Box 321	Cloudcroft NM
R.L. Posey	Box 46	La Luz, N.M. 88337
Martha Gaddy	Box 247	Alamogordo, NM 88310
[illegible]	Drawer 149	Alamogordo, N.M. 88310
KEN ROBERTS	P.O. Box 591	La Luz, NM 88337
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Alamogordo, NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) County Fifty-2

- ☐ CHECK IF YOU WANT TO SPEAK
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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Martha Coody

MAILING ADDRESS P.O. Box 247

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

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DATE 7/12/97

PLEASE PRINT NAME Dan Cooper

MAILING ADDRESS 3433 MESA VERDE DR.

STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO, NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME NANCY COOKSON

MAILING ADDRESS P.O. Box 1021

STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO, NEW MEXICO 88311

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Michael Selby

MAILING ADDRESS 400 Zia Ave

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Alamogordo Chamber of Commerce
Otero County Economic Development Council

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME DON COOPER

MAILING ADDRESS 3437 MESA VERDE CT

STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO, NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) CITIZEN

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12

PLEASE PRINT NAME Renetta Freesen

MAILING ADDRESS Box 195

STREET, P.O. BOX, OR ROUTE & BOX

Hope Rolls NM 88325-0195

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12

PLEASE PRINT NAME GORDON EWING

MAILING ADDRESS 4040 Chaffee Road

STREET, P.O. BOX, OR ROUTE & BOX

Las Cruces NM 88011

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Mesilla Valley Audubon

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Dale Green

MAILING ADDRESS P.O. Box 52
STREET, P.O. BOX, OR ROUTE & BOX

Pinon, N.M. 88344
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Justin Goss

MAILING ADDRESS Wild Lane Road Box 475
STREET, P.O. BOX, OR ROUTE & BOX

Weed New Mexico 88354
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

RECIEVED DRAFT

DATE 7/12/97

PLEASE PRINT NAME Katherine C. HOGUE

MAILING ADDRESS 267 Eagle Loop
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Joan Griggs

MAILING ADDRESS PO Box 88
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Alamogordo Title Company

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Troy Jackson

MAILING ADDRESS P.O. Box 151
STREET, P.O. BOX, OR ROUTE & BOX

LaLuz NM 88337
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 12 JUL 97

PLEASE PRINT NAME Floyd William Hornback

MAILING ADDRESS % PoBox 1586
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) New Mexico Justice Council, Otero County

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Jim Jennings

MAILING ADDRESS POBX 1797
STREET, P.O. BOX, OR ROUTE & BOX

Roswell
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) NM Senator Rand

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PUBLIC HEARING ATTENDANCE RECORD

RECEIVED DRAFT

DATE 7/11/97

PLEASE PRINT NAME Jean E Jamison

MAILING ADDRESS 1605 Memory Lane
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 11 97

PLEASE PRINT NAME Bernice Kniepkamp

MAILING ADDRESS 1936 Pinon Dunken Rd.
STREET, P.O. BOX, OR ROUTE & BOX

Pinon NM 88344
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 11

PLEASE PRINT NAME Bob Jones

MAILING ADDRESS Box 578
STREET, P.O. BOX, OR ROUTE & BOX

Dell City Tx 79837
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 11 97

PLEASE PRINT NAME Charlie T. Lee

MAILING ADDRESS P.O. 149
STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO NM 88310
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 11 97

PLEASE PRINT NAME Paul Kniepkamp

MAILING ADDRESS 1936 Pinon-Dunken Rd.
STREET, P.O. BOX, OR ROUTE & BOX

Pinon NM 88344
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME ARDEN LEWIS

MAILING ADDRESS P.O Box 144
STREET, P.O. BOX, OR ROUTE & BOX

PINON NM 88344
CITY, STATE, ZIP CODE

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DATE 7/12/86

PLEASE PRINT NAME DON L. LEE

MAILING ADDRESS DRAWER 149
STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO N.M., 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 1

PLEASE PRINT NAME Aubrey Lewis

MAILING ADDRESS PO Box 86
STREET, P.O. BOX, OR ROUTE & BOX

Mayhill, NM 88339
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Cloudcroft Area Sustainability Team

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 1

PLEASE PRINT NAME ARDEN LEWIS

MAILING ADDRESS Box 144 88344
STREET, P.O. BOX, OR ROUTE & BOX

Pinon nm.
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/16/97

PLEASE PRINT NAME NORA LEA LEWIS

MAILING ADDRESS Box 237
STREET, P.O. BOX, OR ROUTE & BOX

DELL CITY, TX. 79837
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

Received DRAFT

DATE 7/11/97

PLEASE PRINT NAME Innis Lewis

MAILING ADDRESS P.O. Box 611
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, NM 88311
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/1

PLEASE PRINT NAME MARGARET E MERRITT

MAILING ADDRESS POB 97
STREET, P.O. BOX, OR ROUTE & BOX

PINON NM 88344
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/1

PLEASE PRINT NAME MARGARET E MERRITT

MAILING ADDRESS BOX 97
STREET, P.O. BOX, OR ROUTE & BOX

PINON NM 88344
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

OTERO CO DATE 7/12/97

PLEASE PRINT NAME Michael Nivison

MAILING ADDRESS Box 384

STREET, P.O. BOX, OR ROUTE & BOX

CLOUDCROFT NM. 88317

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PLEASE PRINT NAME Gerald D. Moore

MAILING ADDRESS 1473 Lindberg Ave

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310-8022

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME GB Oliver III

MAILING ADDRESS P.O. Box 582

STREET, P.O. BOX, OR ROUTE & BOX

La Luz N.M 88337

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME GB Oliver

MAILING ADDRESS BOX 10 La Luz, N.M.

STREET, P.O. BOX, OR ROUTE & BOX

88337

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7 1

PLEASE PRINT NAME Erica Pacheco

MAILING ADDRESS 406 Evelyn
STREET, P.O. BOX, OR ROUTE & BOX

Las Cruces New Mexico 88001
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicab.e)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME GBx Yvonne Oliver

MAILING ADDRESS Box 10
STREET, P.O. BOX, OR ROUTE & BOX

La Luz NM
88337
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Concerned citizen

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME RL Posey

MAILING ADDRESS Box 46
STREET, P.O. BOX, OR ROUTE & BOX

Mayhill NM 88339
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Alton Posey

MAILING ADDRESS P.O. Box 41 Sacramento NM
STREET, P.O. BOX, OR ROUTE & BOX

88347
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME BRYAN PRATHER

MAILING ADDRESS Box 308

STREET, P.O. BOX, OR ROUTE & BOX

PINON NM 88344

CITY, STATE, ZIP CODE

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DATE 7 7

PLEASE PRINT NAME R. L. POSEY

MAILING ADDRESS _____

STREET, P.O. BOX, OR ROUTE & BOX

MAYHILL

CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME LaNelva Prietti

MAILING ADDRESS Pio Box 92

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, N. M. 88311

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Electra G Pratt

MAILING ADDRESS 1204 18th

STREET, P.O. BOX, OR ROUTE & BOX

ALAMOGORDO NM 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/14/97

PLEASE PRINT NAME George Rauch

MAILING ADDRESS 8402 Nat Park Hwy
STREET, P.O. BOX, OR ROUTE & BOX

Carlsbad NM 88220
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/1

PLEASE PRINT NAME Maude O. Rathgeber

MAILING ADDRESS 606 Sundown
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo, N.M 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Active of Otero County

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Hildy Reiser

MAILING ADDRESS 46 San Pedro Dr.
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/11/97

PLEASE PRINT NAME Tom Reeves

MAILING ADDRESS 29 Cielo montana
STREET, P.O. BOX, OR ROUTE & BOX

alamogordo, NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) Alamogordo Daily News

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PUBLIC HEARING ATTENDANCE RECORD

DRAFT PROVIDED DATE 7/12/97

PLEASE PRINT NAME LES RINDERKNECHT

MAILING ADDRESS 999 NM Hwy 24

STREET, P.O. BOX, OR ROUTE & BOX

WEED NM 88354

CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

Received Draft DATE 7/12/97

PLEASE PRINT NAME Hilda Reiss

MAILING ADDRESS 460 San Pedro Dr.

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310

CITY, STATE, ZIP CODE

red dyt 65

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME LINDA RUNDELL

MAILING ADDRESS 1800 MARQUESS

STREET, P.O. BOX, OR ROUTE & BOX

LAS CRUCES, NM 88005

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) BLM

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME KEN ROBERTS

MAILING ADDRESS P.O. Box 591

STREET, P.O. BOX, OR ROUTE & BOX

CRUZ, NM 88337

CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Richard C. Sherman MD

MAILING ADDRESS 1702 Juniper Dr

STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo N.M. 88310

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

7-14-97 Evento Duplex DATE 7/12/97

PLEASE PRINT NAME Donna Lou Schafer

MAILING ADDRESS P O Box 316

STREET, P.O. BOX, OR ROUTE & BOX

Dell City Texas 79837

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Marsha Slane

MAILING ADDRESS PO Box 321

STREET, P.O. BOX, OR ROUTE & BOX

Cloudcroft, nm 88317

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) OCAFCE & Campbhimney Spring

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Ella Sidwell

MAILING ADDRESS Box 489

STREET, P.O. BOX, OR ROUTE & BOX

High Rolls NM 88325-0489

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Betty Stout

MAILING ADDRESS 713 Dudley St
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Alvaree Stewart

MAILING ADDRESS 1799 NM Hwy 24
STREET, P.O. BOX, OR ROUTE & BOX

Weed, N.M. 88354
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Bill Taylor

MAILING ADDRESS PO Box 98
STREET, P.O. BOX, OR ROUTE & BOX

Pinon, NM, 88344
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME MANUEL TANNER

MAILING ADDRESS Box 314 PINON
STREET, P.O. BOX, OR ROUTE & BOX

NEW MEXICO 88344
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Dixie Tucker

MAILING ADDRESS Box 37
STREET, P.O. BOX, OR ROUTE & BOX

Tularosa NM. 88352
CITY, STATE, ZIP CODE

I am opposed to putting the Permanent there.

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME MARIANNE H. THAELER

MAILING ADDRESS 2015 HUNTINGTON Dr.
STREET, P.O. BOX, OR ROUTE & BOX

LAS CRUCES
NEW MEXICO 88011
CITY, STATE, ZIP CODE

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☒ CHECK IF YOU WANT TO SPEAK

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12

PLEASE PRINT NAME Gillia Vaughn

MAILING ADDRESS 503 E. 16th
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) State Representative

☐ CHECK IF YOU WANT TO SPEAK

☑ CHECK IF YOU WANT A COPY OF THE FINAL EIS

PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12

PLEASE PRINT NAME Gillia Vaughn

MAILING ADDRESS 503 E. 16th
STREET, P.O. BOX, OR ROUTE & BOX

Alamogordo NM 88310
CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) State Rep. #51

Thank you for having this meeting

☐ CHECK IF YOU WANT TO SPEAK
informative Mtg.

☒ CHECK IF YOU WANT A COPY OF THE FINAL EIS

PUBLIC HEARING ATTENDANCE RECORD

DATE 7/12/97

PLEASE PRINT NAME Kirk Walter

MAILING ADDRESS NMSU H.

STREET, P.O. BOX, OR ROUTE & BOX

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) New Mexico School of Hi Via Hardyal

☐ CHECK IF YOU WANT TO SPEAK

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PUBLIC HEARING ATTENDANCE RECORD

DATE 7/13/97

PLEASE PRINT NAME CLAYTON T. WALSH

MAILING ADDRESS 3230 MERCURY LN. L.C. NM 88012

STREET, P.O. BOX, OR ROUTE & BOX

LAS CRUCES, N.M. 88012

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) EX GUADALCANAL MARINE 8-7-42

☒ CHECK IF YOU WANT TO SPEAK But Hearing Early

☒ CHECK IF YOU WANT A COPY OF THE FINAL EIS

PUBLIC HEARING ATTENDANCE RECORD

DATE 07/12/97

PLEASE PRINT NAME Patricia H. Worthington

MAILING ADDRESS 740 Tepic Dr.

STREET, P.O. BOX, OR ROUTE & BOX

El Paso, TX 79912

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

☐ CHECK IF YOU WANT TO SPEAK

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PUBLIC HEARING ATTENDANCE RECORD

Received DRAFT

DATE 7/12/97

PLEASE PRINT NAME GARY WOOD

MAILING ADDRESS PO BOX 556

STREET, P.O. BOX, OR ROUTE & BOX

CLOUDCROFT, NM 88317

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable)

☐ CHECK IF YOU WANT TO SPEAK

☐ CHECK IF YOU WANT A COPY OF THE FINAL EIS

VEIS Mail.

R.L. Posey Box 44 Mayhill, NM 88339 7-14

Jim L. Goody
Box 247
Alamogordo, NM 88310

Jean E. Jamison
1605 Memory Lane
Alamogordo, NM 88310

Les Rinderknecht
929 NM Hwy 24
Weed NM 88354

Renetta Friesen
Box 185
High Rolls, NM 88325

Dan Cooper
3435 Mesa Verde
Alamogordo, NM 88310

Hildy Reiser
46 San Pedro Dr
Alamogordo NM 88310

Gerald D. Moore
1473 Lindbergh Ave
Alamogordo NM 88310-8022

Dr. C.L. Fulton
P.O. Box 9
DEIS Dist: Carrizozo, NM 88301

J. Thompson
P.C.M. Inc.
P.O. Box 843
Williamsburg, NM 87942

Wayne Johnson
H.C. 32 Box 4 Cutter Rd
Tor C N- Mex 87901

Richard Hanson
HCR 31 Box 40 ~~Caballo~~
Caballo, NM 87931

~~A.S. Elliott~~
P.O. Box 58
Fort Sumner, NM 88119

Barbara Cuffler
~~Lincoln County News~~
P.O. Box 88
Carrizozo, NM 88301

Louise Brooks
Box 749
Carrizozo, NM 88301

Jim Malcolm
P.O. Box 582 Capitan NM 88316

Aubrey Lewis
P.O. 86
Mayhill, NM

Innis Lewis
P.O. Box 611
Alamogordo, NM

Gloria Vaughan
503 14th
Alamogordo, NM 88310

Carl Harms
1903 Dewey Lane
Alamogordo, NM 88310

Maude Rathgeber
606 Sundown
Alamogordo, NM 88310.

Gary Wood
P.O. Box 556
Cloudcroft, NM 88317

Katherine Hoene
267 Eagle Loop
Alamogordo, NM 88310

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input.
PLEASE PRINT

DATE: 7/12/97

SEND THE GERMAN AIR FORCE BACK HOME TO GERMANY

**** CONTINUE ON BACK FOR MORE SPACE ****

NAME: BRYAN PRATHER
ADDRESS: BOX 308
CITY: PINON
STATE/ZIP CODE: NM 88344

Please check if you would like to receive a copy of the Final Environmental Impact Statement. [ ]

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

Draft Environmental Impact Statement
Expansion of German Air Force Operations at
Holloman Air Force Base, New Mexico

WRITTEN COMMENT SHEET

Thank you for your input.
PLEASE PRINT

DATE: 7-12-97

Great disturbance at my house - Shakes, vibrates my house! Cracked windows! Cracked my fireplace! All we get is run around! Scares my horses! Im afraid To even ride my horse. These Things are very important To me. There are certainly as important To me as other peoples are To Them! My home, My livestock, My life style is Totally ignored - No consideration is given To me! My life style is Totally ignored.

This is being Crammed down our Throats whether We like it or not.

I do not like it! Stop - Stop - Government for the people, by the people

**** CONTINUE ON BACK FOR MORE SPACE **** I don't see any of this here.

NAME: Carol Posey
ADDRESS: P.O. Box 41
CITY: Sacramento.
STATE/ZIP CODE: New Mexico 88347

Please check if you would like to receive a copy of the Final Environmental Impact Statement. [ ]

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

For The Record – Alamogordo –

CONSTRUCTIVE NOTICE

I, Floyd William, Hornback, (hereinafter Plaintiff)being first duly sworn according to law, having first hand knowledge of the facts herein, and being competent to testify, do affirm that the facts herein are stated by the Plaintiff, and are true, correct, and complete, stated under penalties of perjury pursuant to the laws of the United States of America.

Know all men by these presents, Floyd William, Hornback, brings this Notice for the people of these united States of America, under the American flag of peace, without an attorney, ex rel. now defines and states:

Ex rel.: for the people of the united states defined: "...But it is the manner of enforcement which gives Title 42 U.S.C. 1983 its unique importance, for the enforcement is placed in the hands of the people." Each citizen, "acts as a private attorney general who takes on the mantle of the sovereign, guarding for all of us the individual liberties enunciated in the Constitution." Section 1983 represents a balancing feature in our governmental structure whereby individual citizens are encouraged to police those who are charged with policing us all. Thus, it is of special importance that suits brought under this statute be resolved by a determination of truth." Wood v. Breier, 54 F.R.D. 7, (1972)

1) You have sworn an oath of office to support and defend the Constitution and the laws of this State and these united States, and having taken such oath before a competent tribunal, officer, or person authorized to administer such oaths, any breach thereof may constitute a liability to you in both your individual and official capacity of which you may by a breach, waive any immunities to suit therefrom.

2) A breach may constitute c ulse swearing to your oath and is a violation of the Constitution of these united States and of Article XX, Section 1 of the Constitution of the State of New Mexico and constitutes perjury. This perjury is a violation of Title 18 USC section 1621, and may possibly be considered a conspiracy under Title 18 USC sections 242, for the deprivations of those rights as secured to this Citizen under the Constitution of these united States of America.

3) Title 42 USCA sec 1986 **"Action for neglect to prevent"**, Every person who having knowledge that any of the wrongs conspired to be done, and mentioned in Title 42 USCA sec 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or persons legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in action. (42 USCA sec 1986 is derivative of sec 1985 and provides remedy for persons injured by neglect or refusal of those having power to do so to prevent wrongs specified in sec 1985).

4) Title 42 USCA sec 1985 **"Conspiracy to interfere with civil rights"** (1) ... (2) ... or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws; (3) Depriving persons of rights or privileges. If two or more person in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person (or class of persons) of the equal protection of the laws, or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws;...whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the united States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

5) Title 42 USCA sec 1983 **"Deprivation of Rights"**. Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory of the District of Columbia, subjects, or causes to be subjected, any citizen of the united States, or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

6) You are hereby noticed pursuant to Title 42 USCA section 1986, **for knowledge, of the law**, as to your high standards of the law, and as witness, that any **"Neglect"** to prevent constitutional wrongs from injuring this Citizen, that if such neglect proximately causes damage it will give rise to an action in "tort", further, be advised by acting in concert with others, this may be construed as conspiracy under Title 42 USCA sec.1985.

7) **FRAUD**; An intentional perversion of Truth. for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right; a false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations or by concealment of that which should have been disclosed. which deceives and is intended to deceive another so that he shall act upon it to his legal injury. A generic term, embracing all multifarious means which human ingenuity can devise, and which are resorted to by one individual to get advantage over another by false suggestions or by suppression of truth, and includes all surprise, trick, cunning, dissembling, and any unfair way by which another is cheated. " Bad Faith" and "Fraud" are synonymous ...

8) **Title 18 USCA sec 872**; Extortion by officers or employees of the United States. Whoever, being an officer, or employee of the United States or any department or agency thereof, or representing himself to be or assuming to act as such, under color or pretense of office or employment commits or attempts an act of extortion, shall be fined under this title or imprisoned not more than 3 years, or both; ...

9) **Air Rights**: The right to use all or a portion of the air space above real estate. Such right is vested by grant; e.g. fee simple, lease, or other conveyance. While commercial airlines have a right to fly over ones land, if such "flight paths" interfere with the owners use of such land, the owner is entitled to recover the extent of actual damage suffered by him. United States v. Causby, 328 U.S. 256, 66 S. Ct 1062, 90 L.Ed. 1206. B.L.D. 6TH Ed

10) **Posting.** In connection with trespass statutes. The act of placing or affixing signs on private property in a manner to give notice of the trespass. BLD 6th Ed

11) **Trespass.** An unlawful interference with one's person, property, or rights... Any unauthorized intrusion or invasion of private premises or land of another;... **Criminal trespass** is entering or remaining upon or in any land, ... by one who knows he is not authorized or privileged to do so; ... **Intrusions upon, beneath, and above surface of land.** (1) Except as stated in subsection (2), a trespass may be committed on, beneath, or above the surface of the earth. (2) Flight by aircraft in the air space above the land of another is trespass if, but only if, (a) it enters into the immediate reaches of the air space next to the land, and (b) it interferes substantially with the other's use and enjoyment of his land.... **Trespass with force and arms.** The common-law action for damages for any injury committed by the defendant with direct and immediate force or violence against the plaintiff or his property;... **Liability for intentional intrusions of land.** One is subject to liability to another for trespass, irrespective of whether he thereby causes harm to any legally protected interest of the other, if he intentionally (a) enters land in the possession of the other, or causes a thing or a third person to do so, or (b)... (c) ... BLD 6th Ed

Any person or persons having knowledge of these facts and who has fiduciary duty to act in a reasonable manner to either prevent or correct the wrongs taking place or having the power to prevent or aide to prevent the commission of the same, shall be liable to this Plaintiff or his legal representatives for any and all damages caused or incurred by such wrongful acts, actions, inaction, or omission, which such

person could have by reasonable diligence prevented, may be joined pursuant to Title 42 USCA sections 1986, 1985, and 1983 in any action taken as a result of these wrongs.

Any Complaint for damages will be filed under the American Flag of Peace of the united States of America. No jurisdiction under any American flag of war will be accepted.

Hereinafter: U.S.C.A.= United States Code Annotated
N.M.S.C.= New Mexico State Constitution
BLD 6th Ed = Black's Law Dictionary
Disguise = Without Oath by perjury without protection
Citizen = Man, not as an Official

Respectfully Submitted for Notification,

Floyd William, Hornback
c/o P.O. Box 1586
Alamogordo, New Mexico
PZ 88310

Before me, a Notary Public, appeared Floyd William, Hornback, and did affirm and subscribe hereto on this 11th day of July, 1997.

My commission expires,
08-19-00

Notary

KIMBERLY A. SANCHEZ NOTARY PUBLIC STATE OF NEW MEXICO

CERTIFICATE OF SERVICE

A true and correct copy of this CONSTRUCTIVE NOTICE was served personally or by Certified U.S. Mail to the following :

Lt.Col. D. Hargarten
Holloman AFB. NM

Ms. Sheryl Parker
Headquarters Air Combat Command/CEVA
129 Andrews Street
Langley AFB, VA 23665-2769

Notice to the Agent is Notice to the Principle.

TESTIMONY FOR HEARING
July 12, 1997, Alamogordo, New Mexico

"DEIS Proposed expansion of German Air Force Operations at Holloman AFB, New Mexico"

By Marianne Thaeler, Military Issues Chair, Rio Grande Chapter, Sierra Club
2015 Huntington Dr.
Las Cruces, New Mexico 88011
phone/fax 505-522-3421

My name is Marianne Thaeler. I am Military Issues Chair of the Rio Grande Chapter of the Sierra Club.

I reserve the right to present written Comments before the August 4, 1997 deadline.

This DEIS grossly mis-characterizes the Region of Influence. The El Paso/Juarez metroplex is one of the largest on the North American continent. The Ft. Bliss cantonment area is in the heart of El Paso, Texas, and Ft. Bliss Tx/NM already has subdivisions along two of its boundaries. Therefore, McGregor Range can be considered to be in suburbia.

Southern New Mexico and west Texas is one of the fastest growing areas of the United States, and has severe potable water supply problems.

Since Texas has no snow and perhaps two (2) mountains the Sacramento and Guadalupe mountains are a recreational and tourist "mecca" for Texans. New Mexico

AG-53 This and the long history of public opposition to the military take over and use of McGregor rangelands is not included in this DEIS.

The DEIS makes and excellent case for the use of Existing Ranges at White Sands Missile Range and Melrose. But the references to the small "x" target on McGregor as a bombing range, rather than the small target range that it is, further thwarts public efforts and Congressional intent that McGregor be returned to full public access by 2001, as is set out in P.L. 99-606.

The DEIS makes an excellent case for the use of WSMR and Melrose.
- They have existing infrastructure, roads, and fire fighting capabilities, which the McGregor options do not. They have established clean up procedures, which the McGregor options do not.

- They are under utilized. The two existing bombing ranges are not used from Friday noon through Sunday.

- There is existing - citizen and local elected official support of WSMR and Melrose.

- No new acres would be removed from public access and multiple uses including hunting, camping, hiking and grazing would continue on McGregor un-molested.

- Hunting areas both the public and the DOD PERSONNEL ONLY Hunting Areas would not be compromised.

- No endangered species would be impacted, and soil, biologic resources, etc. would be minimally affected.

- The wilderness values of Otero Mesa could be preserved. (I received a telephone call from Korea, from a US Airman who trained at Holloman telling me that Otero Mesa grasslands were the only place he and other pilots could find in this area where they could find peace and quiet away from the noise and stress of flight training.)

- The obvious "turfing" issues between TRADOC, ACC, and Technical and Evaluation Command would be avoided and/or minimized. (I heard recently that the TRADOC planners have placed a tank training area on the Tularosa Basin portion of McGregor, as part of their in-progress Master Plan.)

AND,

AG-54 - Federal Law 99-606 already provides for the clean up and return of McGregor to full BLM management by year 2001, less than 4 years away. This is an eagerly awaited event, for historic and Post-Cold War symbolic reasons.

AG-55 There should be some changes made to this Draft EIS, to eliminate misrepresentations, sarcasm, and threats (perceived or real.) For example:
- Under existing federal laws Wilderness Study Areas must be managed as Wilderness. Statements on who recommends or does not recommend permanent designation by Congress are not appropriate in this document.
- The statements regarding grazing management practices on Otero Mesa are spiteful, and should be eliminated.
- The repeated statement, "If [the action] is not implemented airspace utilization would be modified for this action." leaves the impression to the reader that low level overflights and noise will occur no matter what anyone says. This can be perceived as a threat, intended or not.

AG-56 - Noise. According to the Final EA on the proposed airspace modifications, tornado jets create up to 120 decibels of noise. The use of averages and number of sorties is misleading. Each sortie can make 10 or more passes over a single point. And 120 decibels are harmful.

AG-57 Finally a question: Who would manage the ranges? clean up, grooming, fire fighting, etc.
Ft. Bliss has minimal to no fire fighting capacity on McGregor. Ft. Bliss has no experience in clean up or grooming. It does not clean up its existing launch and impact areas. The US Air Force is sponsor, but appears to have no other responsibility. Is this a land grab by the US or German Air Force?
The WSMR Melrose option would remove these questions.

July 12, 1997

My Name is George Ranch
8402 Rat Park Hwy
Carlsbad N.M. 88220

I own and operate a cattle ranch in South east Otero County, which is where I live.

I would like to have recorded that on July 1, 1997 in the early Afternoon, one of the Lowlevle Jet Air Craft diverted his course and flew directly over me as I was driving a bunch of horses along, ~~at~~ at a hight of about 50 ft. This happened on my ranch at Section 8, T 24 S, R 20 E. I can show on a Topograph map where I was at the time and a hill the plain had to rise up to get over which is 50' high on the map. This action on the part of the aircraft spoked the horse I was driving and greatly spoked the horse I was riding causing him to buck. The loud noise severly hurt my ears.

I am aguast having a foreign goverment Traing in the United St

I am gainst making any new area, if you are going to do this anaway you should use the already existing Target areas.

There is no excure for the German to fly at 50 or even 100 ft. American plains have Traind Less before and stayed above 5,00 ft and did not fly over our homes & improvements.

AG-58 The C.D. addresses fire during the boom areas, but does address the fire issue on the far sides of the fly way should an accident ~~occur~~ happen.

COUNTY OF OTERO
1000 NEW YORK AVENUE, ROOM 101
ALAMOGORDO, NEW MEXICO 88310-6935

July 11, 1997

Ms. Sheryl Parker
Headquarters Air Combat Command/CEVA
129 Andrews Street
Langley AFB, VA 23665-2769

RE: Proposed Expansion of the German A ir Force Operations at Holloman AFB, NM (Final Environmental Impact Statement)

Dear Ms. Parker:

All three commissioners will be out of town on business, and I have delegated Mike Nivison to state Otero County's position. I thank you for allowing us time to speak and I apologize for any inconvenience.

As stated before the Otero County Commissioners would like to comment on pages ES-2. We strongly support the Tularosa Basin portion of McGregor Range, as we feel from our cumulative information that this is acceptable to the county. We, the Otero County Board of Commissioners, cannot support the other two options.

I would also like to submit a list of concerns regarding the NEPA process. If you have any questions, Mike Nivison will be glad to answer your questions in full. A letter will be forthcoming.

Sincerely,

Ronny Rardin
Otero County Commission Chairman

The proposed expansion of German Air Force operations at Holloman AFB, NM falls under the authority of National Environmental Policy Act (NEPA) Public Law 91-190, 1969

Sec. 1501.5

Where appropriate the lead agency should seek the cooperation of state or local agencies of similar qualifications. (Otero County is significantly effected, and has requested involvement with no response)

Sec. 1501.2

Agencies shall integrate the NEPA process with other planning at the earliest possible time to insure that planning and decisions reflect environmental values, to avoid delays later in the process to head off potential conflicts.

AG-59

1. Otero County is not on the list of Personal Communication.
2. Otero County is not on the mailing list. (Had to request a copy of draft EIS)
3. No substance of the Custom and Culture Documents from Otero County, that we delivered to the Air Force, were considered.
4. No Otero County Public Land Use Plan or Ordinance were considered, or requested.
5. PLUAC was given a verbal report in September of 1996. It was reported that information was too preliminary, and we would receive a comprehensive update in November 1996. Nothing has been forthcoming.
6. In a separate meeting with Senator Dominici, Senator Bingaman, and Congressman Skeen, the Air Force was asked to work with Otero County. Otero County has waited in good faith, and has not been contacted by phone, in person, or by correspondence, and yet you publish a Draft EIS.

DECLARATION OF TREASON IN HIGH PLACES

By Brenda Lyles
Jesus Servant
Bakersfield California
March 17, 1997

Fellow Americans,

When in the course of human events, the president and the congress events a design to reduce the people under an absolute despotism, it is their right, it is their duty to throw off such government and to restore to the people the supreme law of the land as embodied in the Constitution of the United States of America. And such is now the necessity, promulgated by repeated injuries and usurpation By the accused in attempting to establish an absolute tyranny over the states and the people, by systematically subjugating the people to a One World Government under the Communist regime of the United Nations and ignoring the inalienable rights of the people as set forth in the Constitution. Let these facts be submitted to a candid world.

They have refused to assent to the supreme law of the land embodied in the Constitution of the United States and violating their oath of office by passing laws in opposition to the supreme law and the rights of the people.

They have erected a multitude of new offices and sent hither swarms of officers to harass our people and to confiscate their substance.

They have allowed numerous unchartered entities to institute regulations to fine, imprison and even murder citizens of the various states, in effect declaring war upon the citizens in direct opposition to the Constitution. These illegal agencies include but are not limited to: FBI, BATF, IRS, EPA, FEMA, CIA and BLM.

They have allowed these agencies to attack the citizenry without due process, confiscating their property and bank accounts, imprisoning them and moving them from one prison to another, so that even their attorneys can't find them, all the while sharing the confiscated property among themselves, their various agencies, and government officials, including the so-called president who gets $25,000 for each person who is convicted by the IRS.

They are working to abolish our free system of law by subjugating us to international law as embodied in the United Nations Charter, to which George Bush said: "It is the sacred principles enshrined in the United Nations Charter, to which we will henceforth pledge our allegiance." When did he say that? On February 1, 1992 in the UN building, New York City.

They have committed treason and war on the peoples of the United States by signing and implementing the United Nations program for general and complete disarmament. This unconstitutional treaty calls for the disbanding of the military,

confiscation of all weapons and arms of the people, leaving them defenseless, in the institution of the use of foreign UN troops to police the people of the United States. See State Department paper 7277 and public law 87-297 article 1 section 7 and amendment 4.

They have committed high treason by allowing a sworn enemy of the United States to oversee the disarmament of the military and military base closings, giving them access to our most sensitive defense secret codes, missile locations and defensive weapons. This person is of course Mikhail Gorbachev who has been given the Presidio, a former United States military installation at San Francisco, California, who said in a speech to the Soviet Politburo in November 1987, and this is his direct quote: "Gentleman and comrades, do not be concerned about all you hear about Glasnost and Peristroica and democracy in the coming years. These are primarily for outward consumption. There will be no significant internal changes in the Soviet Union other than for cosmetic purposes. Our purpose is to disarm the Americans and let them fall asleep." It is a fact as reported in Janes quarterly, the third edition of 1996 that the Soviets are building one nuclear submarine every two months, 58 fighter aircraft per month, and tactile nuclear bombs and mobile launchers numbers unknown.

They have committed treason by allowing armies of foreign mercenaries to invade American soil, giving them bases here such as the German Air Force base in New Mexico, the Communist Chinese Long Beach Naval Station, George Air Force Base in California and the port of Corpus Christi in Texas, all the while backing these butchers.

They have signed unconstitutional treaties such as GATT and NAFTA and thereby given aid and comfort to our enemies by instituting economic terrorism upon the people.

They have subsidized corporations to move to other countries, taking with them American jobs and using slave labor abroad to make the goods that they sell here for exorbitant profit. They have underwritten loans on the good faith of the American taxpayer to subsidize genocide and slavery in China, Russia and various countries through the world, thereby strengthening through foreign aid our enemies.

They have committed treason by allowing the president to rule by use of presidential directives, making public laws which give dictatorial powers. These being in direct opposition to the Constitution, this so-called president has confiscated lands in this country and given them to the United Nations. These lands include most of our national parks which are now United Nations Biospheres, lands in Utah which the treasonous president and the Congress are proceeding to take under United Nations Treaty, and the area called "The Land Between the Lakes" which stretches through Kentucky, Tennessee, Georgia, North and South Carolina. The traitors intend to move in excess of 100,000 people from their property and turn this area into a human-free zone. This land will be fully given to the United Nations and out of control of the American people.

They have committed treason by allowing a private entity, the Federal Reserve, a privately owned stock company, to print and regulate our currency, and thus dictate our monetary policies. They have allowed this company, owned by foreign interest which has never paid taxes, never been audited, to transport the gold reserves of the United States in their various banking institutions, primarily those in New York City, and from there take said gold reserves to private banks in Europe, thus robbing the people of the United States without their consent. They have incurred a phony indebtedness to these private banks by giving them our gold for credit on paper, which is not an exchange of value for value, all the while keeping the truth from the American people. At every stage of these oppressions our repeated petitions have been answered by repeated injury.

These tyrants are unfit to be rulers of a free people. We therefore submit that such who are guilty of these high treasons be tried and prosecuted and that all the connection between them and the United States be totally dissolved. Let it further be stated that "We-The-People" have every right to disobey laws that are contrary to our blessed Constitution and to bring whatever pressure we can forebear upon those who would put us in jeopardy, our lives and our liberty, and those sacred freedoms which belong to our posterity.

SECTION 7.0

RESPONSES TO COMMENTS

Response to Oral and Written Comments
Presented at the Public Hearings

The following provides responses to comments identified in the transcripts and materials submitted at the public hearings. One purpose of the public hearing process is to secure input from the public and state, federal, and local agencies, to be used to revise the EIS. This input takes a variety of forms, including the identification of specific issues of concern, factual data not otherwise available, and identification of areas where the document could otherwise be improved. The Air Force has carefully examined all comments received during the public hearing process, both those presented at the public hearings, and those which were submitted in writing. Comments provided at the public hearing, either orally or in writing, are included in Volume II of the FEIS. Written comments received subsequently to the public hearings are included in Volume III. All such comments have been taken into consideration in the preparation of the FEIS.

During the review of the comments, specific comments were identified which either requested clarification about some aspect of the action, requested that certain subjects be considered, provided additional information that would be useful to include in the EIS, or otherwise spoke to the adequacy of the DEIS. In some cases the comment indicated a misunderstanding on the part of the commenter. These comments were designated with a tracking number, and are explicitly addressed in the following responses to comments.

During the public hearings, an opportunity was provided to request clarification of some aspect of the hearings presentation, or of the proposed action. Such comments were addressed as far as possible at the hearing. Those comments which were addressed at the public hearing, as shown in the hearings transcript, are addressed below only if further clarification is in order.

In some cases, the commenters, expressed purely personal opinion (e.g., "I support the proposed action", or "I am opposed to the proposed action") unrelated to the analysis contained in the DEIS. Some commenters spoke to issues which are outside the scope of the EIS (e.g., their comments dealt with airspace not involved in the proposed action, or dealt with issues related to national policy). While all comments received have been taken into consideration in revising the DEIS, the following responses deal only with comments which speak in some way to the adequacy of the EIS.

The proposed action is intended to meet the requirements of the proposed amendment to the Memorandum of Agreement between the United States and Germany. This proposed amendment states that the additional Tornado aircraft would be collocated with the original 12 Tornados at Holloman AFB. This establishes the purpose and need for the proposed action. Several

commenters suggested basing options other than Holloman AFB. Because such options do not respond to the purpose and need of the proposed action (that is, they do not meet the conditions stated in the Memorandum of Agreement), such alternatives are considered outside of the scope of the EIS.

Response to Comments
Received at Alpine, Texas, 8 July 1997

AP-1 Changes in operations within military airspace require action under the National Environmental Policy Act (NEPA).

AP-2 Section 3.8 provides information on hazardous materials involved in flight operations and aircraft maintenance under the proposed action. This includes aviation fuel. Munitions carried by the aircraft are identified in Chapter 2. Safety issues associated with these munitions are discussed in Sections 3.13 and 4.13. As discussed in Chapter 2, live munitions would be carried on aircraft conducting sorties to the Red Rio LDT impact area.

AP-3 Apart from munitions, hazardous materials are not currently used on the ranges. Operation of the proposed television ordnance scoring system would generate small quantities of hazardous waste (e.g., spent batteries); the amount involved is considered negligible.

AP-4 The range of potential effects of an aircraft accident are discussed in Section 3.13.

AP-5 Air Force Regulations specify procedures that may be followed in regard to claims for damages made against the Air Force. However,property damage and associated economic losses can only be determined by review of the circumstances of the individual case. Information on filing claims for damages can be obtained by contacting the Holloman Public Affairs Office at 505-475-5406.

AP-6 The proposal is to expand existing German Air Force operations at Holloman. The decision to initially base the Tornados at Holloman Air Force Base (AFB) was made in 1992. The proposed action is in response to an amendment to an agreement between the United States and Germany, which placed Tornado training at Holloman AFB. Other bases are outside the scope of this agreement and therefore are not reasonable alternatives.

AP-7 The purpose and need for this proposed action are discussed in Chapter 1 of the proposed action.

AP-8 This action is currently being considered under NEPA. Input from concerned citizens, as well as federal, state, and local agencies, has been solicited as part of the NEPA process.

AP-9 The proposed action includes use of airspace in both New Mexico and in Texas, as well as parts of Arizona.

AP-10 Sections 3.1 and 4.1 address airspace management and use. Sections 3.13 and 4.13 address safety.

AP-11 As discussed in Section 4.2, changes in noise levels under the NTC training options are not projected to be substantial. In some localities, changes in noise levels under the Existing Range training option would be considered substantial, but in no case would these changes result in noise levels that would be considered incompatible with existing land uses.

AP-12 In response to public comments, additional information has been included in Section 4.9 dealing with the potential impact of the proposed action on rural socioeconomic conditions and property values.

AP-13 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been included in Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage.

AP-14 The proposed action does not involve the acquisition of property, nor the establishment of new airspace. While the proposed action does involve changes in airspace use, the proposed activities are similar to those prevailing under baseline conditions.

AP-15 A proposed change in operations, such as suggested here, would require an analysis, in accordance with NEPA and Air Force regulations, of its potential environmental impact. Initially, this would include a determination of the level of analysis (e.g., an Environmental Assessment, an Environmental Impact Statement, or other NEPA action) that would be required. No action could be implemented before such a determination was made, and the required analytical and decision making process completed.

AP-16 Under the proposed action, construction activities and, in particular, establishment of an NTC, would occur only on federal property. All airspace that could be used to support the proposed action overlies a mixture of federal, state, and private property. FAA guidelines require that existing airspace be used wherever possible.

AP-17 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been added to Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage.

AP-18 The variety of Air Force activities in the region are not a part of a single program or policy initiative regarding training and airspace use. Separate analyses of these various activities will adequately assess their combined cumulative impacts. Consequently, a programmatic Environmental Impact Statement (EIS) is not needed. Nonetheless, this EIS does, in fact, analyze the cumulative impacts of this action with all past, present, and reasonably foreseeable future actions.

AP-19 The proposed action would be in compliance with all applicable laws and regulations, including FAA regulations concerning low-level flying.

AP-20 The Air Force has evaluated the effect of low-level flight over private land for previous proposed actions. Additional information has been provided in Section 4.9 concerning this issue.

AP-21 Property damage and associated economic losses (addressed in Section 4.9) can only be determined by review of the circumstances of the individual case, and cannot be generalized into an overall impact.

AP-22 In response to public comment, additional information on noise in relation to human health effects has been provided in Section 4.2.

AP-23 Aircraft turbulence from low-level overflight (also known as "wing-tip vortices") is a very localized phenomenon. The vortices quickly abate with time and distance from the aircraft. It is not anticipated that the low-level flights would affect cars on roads. With the FAA restrictions permitting overflight of structures to no closer than 500 feet, it is not anticipated that turbulence from low-level flights would affect maintenance crew working on structures such as radiotelescopes. Additional information on the potential for overflight to result in hearing damage has been included in Section 4.2. During individual overflights by a Tornado aircraft, single-event noise levels may reach 108 dB at 500 feet AGL. OSHA standards, designed to protect against hearing loss in the workplace, permit noise levels of 115 dB for periods of up to 15 minutes before hearing protection is required. Since aircraft overflight events at 108 dB

would persist only momentarily, no adverse effect on hearing would be expected under the proposed action.

AP-24 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been included in Appendix J. In some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage. Property damage and associated economic losses can only be determined by review of the circumstances of the individual case. Information on filing claims for damages can be obtained by contacting the Holloman Public Affairs Office at 505-475-5406.

AP-25 Aircraft turbulence from low-level overflight (also known as "wing-tip vortices") is a very localized phenomenon. The vortices quickly abate with time and distance from the aircraft. With the FAA restrictions permitting overflight of structures to no closer than 500 feet, it is not anticipated that the low-level flights would cause damage in a properly constructed and maintained structure. Current minimum altitude for bomber training is 300 feet AGL.

AP-26 In response to public comments, additional information on the effect of overflight on socioeconomic conditions has been included in Section 4.9.

AP-27 The Tornado aircraft is not included in the U.S. inventory; while low-level training in U.S. aircraft occurs at other locations, the specific training for Tornado aircrews is unique to Holloman AFB.

AP-28 As described in Chapter 2, low-level training would occur over a broad area of the southwestern United States. The majority of the sorties would be conducted on routes other than those passing near Alpine, Texas.

AP-29 This phrase was not used in the Draft EIS.

AP-30 Section 2.1 provides projected annual sorties by airspace area. These are distributed over 250 flying days per year.

AP-31 In FY00, aircraft use on the portion of IR-102/141 Long, which passes around Alpine, Texas, would amount to 0.5 sortie per day. Maximum proposed use for this route would reach 1.2 sorties per day under the NTC training options. Somewhat higher sortie rates would be achieved on IR-102/141 Short, but this is well north of Alpine, Texas.

AP-32 A 747-400 has a sound exposure level at 1,000 feet of 96.7 dB (INM Noise curve PW4056 with 32,000 pounds of thrust). A Tornado on a training route at 480 knots has a sound level at 1000 feet of 101 dB. The noise scale on Figure D-1 has been revised to show military aircraft noise levels.

AP-33 The Air Force has made every effort to make copies of the Draft EIS available to those who wish one. In addition, copies are available in selected public libraries throughout the area affected by the proposed action. A copy of the DEIS has been sent to Sul Ross University. Sul Ross University has been placed on the mailing list for the FEIS.

AP-34 The decision-maker will be an official designated by the Office of the Secretary of the Air Force.

AP 35 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been added to Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage.

AP-36 Airspace management and safety considerations are addressed in Section 4.1 and 4.13. The proposed action does not establish or modify existing airspace. Aircraft use on that portion of IR-102/141 that passes around Alpine, Texas, would amount to 1.2 sorties per day, and increase of 0.7 sorties per day over the baseline. No significant impact on airspace use or safety would be expected.

AP-37 The action under consideration is a proposed action. No decision has been reached as to whether or not to implement the proposed action, and any of the training options, or the no-action alternative.

Response to comments received at Dell City Texas, 9 July 1997

DC-1 Property damage and associated economic losses can only be determined by review of the circumstances of the individual case. If individual damages were to occur and be validated, Air Force regulations establish procedures for compensation.

DC-2 Section 3.2 has been expanded in response to public comments to further explain the use of day-night average sound level measurements. See also Appendix D. The maximum noise levels and the sound exposure levels shown on Tables 4.2-1 and 4.2-2 represent the noise levels for a single aircraft directly overhead.

DC-3 This proposed action does not introduce new restrictions on civilian air traffic. See Section 4.1.

DC-4 The Memorandum of Agreement between the U.S. and Germany, which clarifies funding responsibilities for the proposed action, has been added to the EIS as Appendix A. The United States would pay for those elements of the proposed action that directly benefit the U.S. Air Force. U.S. aircrew training, for example, would benefit from use of the new target complex (NTC); 40 percent of the costs of the NTC would be paid for by the U.S.

DC-5 The variety of Air Force activities in the region are not a part of a single program or policy initiative regarding training and airspace use. Separate analyses of these various activities will adequately assess their combined cumulative impacts. Consequently, a programmatic EIS is not needed.

DC-6 No portion of Carlsbad Caverns National Park underlies military training airspace. See new Figure 3.3-5 for a detailed depiction of airspace in relationship to Carlsbad Caverns National Park.

DC-7 Guadalupe Mountains National Park recently added an access road in the northeast corner of the park, connecting to U.S. 62/180. The eastern end of this access road (encompassing approximately 2 miles of roadway) lies under the western edge of IR-192/194. Other Military Training Routes (MTRs) affected by this action come close to the NP, in some cases abutting the NP boundaries, but do not overlie the NP. Section 3.3 has been revised to clarify this. See new Figure 3.3-5 for a detailed depiction of airspace in relationship to Guadalupe Mountains National Park.

DC-8 In response to public comment, Section 3.3 has been expanded to indicate that Guadalupe Mountains National Park includes Wilderness Areas. Wilderness Areas and Wilderness Study Areas within and adjacent to Carlsbad Caverns or Guadalupe Mountains National Parks are shown in Figure 3.3-5.

DC-9 Figure 3.3-5 shows the relationship of affected airspace to Carlsbad Caverns and Guadalupe Mountains National Parks. The edge of the IR-102/141 corridor is about 3,000 feet west of the acquisition area on the west side of Guadalupe Mountains National Park. Section 4.2 provides sound levels at various lateral distances for aircraft at various altitudes.

DC-10 Impacts to wildlife have been identified and discussed in Section 4.5 and Appendix J of the EIS.

DC-11 The commenter is referred to Sections 3.2, 4.2, and Appendix D of the EIS for an applicable noise analysis and evaluation of health effects for this proposed action.

DC-12 The procedure used to calculate the noise levels and their impacts represents the best available technology. The use of these procedures was reaffirmed as recently as 1992 by the Federal Interagency Committee on Noise (FICON 1992), which included representatives of the Department of Defense, the Environmental Protection Agency, the Department of Transportation, the Department of Housing and Urban Development, and the Department of Veteran Affairs. Section 4.2 of the EIS details the noise modeling approach, the reliability of the noise predictions, and the accuracy of the noise predictions. It is recognized that variations in atmospheric properties alter the distances at which sound propagates for individual aircraft events. The noise model uses an annual average temperature and relative humidity. This procedure of using average atmospheric conditions has been shown to yield accurate noise predictions when averaged over an extended period of time.

DC-13 Noise analysis calculations were performed as if the ground was flat. This is a conservative approach, which tends to overpredict noise levels for reasons given below. Additional information on the effect of topographic features appears on page 4-12 in the Draft EIS. Topographic features can sometimes increase individual noise by up to 3 dB (reflections) and can sometimes decrease noise substantially by shielding, often in excess of 20 dB. The net result is lower cumulative levels than predicted from flat ground. Flight altitudes AGL are relative to the highest local ground elevation. By using those

altitudes in the analysis, the calculations assume aircraft are at a lower altitudes than they would actually fly.

DC-14 A 3-dB "rule of thumb" (under which sound levels decrease by 3 dB each time the distance to a source doubles) is sometimes used as a rough approximation to describe changes in noise levels with distance to a source. While sometimes useful, strictly speaking, it applies only for an omnidirectional point source moving on a straight line, and does not take into consideration effects such as air attenuation and ground absorption. These latter factors affect noise levels in a nonlinear manner. Taking them into account results in substantial departures from predictions made using the 3 dB "rule of thumb". The data in Tables 4.2-1, 4.2-2, and 4.2-3 take these factors into consideration and provide significantly more refined depiction of the changes in noise levels with altitude and lateral distance than would be obtained using the 3-dB "rule of thumb".

DC-15 Section 3.2 has been expanded in response to public comment to further explain the use of day-night average sound level measurements. Sound levels of Tornado aircraft are also provided in Section 4.2.

DC-16 Real property losses and economic losses can only be determined by review of the circumstances of each individual case.

DC-17 In response to public comment, Section 4.9 has been expanded to address this issue.

DC-18 Additional information on this subject has been included in Section 4.3 of the EIS.

DC-19 Sections 3.2 and 4.2 have been expanded in response to public comment to further explain the use of day-night average sound level measurements. In response to public comment, additional information on noise in relation to human health effects has been provided in Section 4.2.

Response to Comments
Received at Truth or Consequences, New Mexico,
10 July 1997

TC-1 The proposed action would result in an increase in low-level training in the Rio Grande area near Truth or Consequences. Data on baseline operations in FY00 and operations under the proposed action are provided in Chapter 2 for the affected airspace.

TC-2 The proposed action involves no property acquisition. The area that would be used for the proposed NTC is wholly contained within the boundaries of the existing McGregor Range.

TC-3 The proposed action involves 30 GAF aircraft. This is in addition to the 12 GAF Tornado aircraft already at Holloman AFB. See Chapter 2.

TC-4 Language is not considered a safety issue. In fact, English is the standard international aviation language.

TC-5 None are required. English is the standard international aviation language.

TC-6 Flights under this action would be conducted west of the San Mateo Mountains.

TC-7 The maximum sound levels from subsonic low-flying military aircraft directly overhead may exert a force of a few ounces and would not affect the structural integrity of buildings or structures. Under some circumstances, supersonic flight may result in the generation of forces sufficient to cause physical damage. However, supersonic flight is not authorized on low-level MTRs, such as those that overlie Elephant Butte and Caballo dams. All supersonic activity under the proposed action, no more than 24 sorties per year airspace at altitudes above 10,000 feet MSL, would be confined to WSMR supersonic airspace, which is fully contained within WSMR restricted airspace. Elephant Butte and Caballo dams are more than 10 miles beyond the area where supersonic flight would occur on WSMR, and no damage to these structures would be anticipated.

TC-8 The proposed action does not involve low-level supersonic operations.

TC-9 This is beyond the scope of this EIS.

TC-10 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been included in Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage. The number of sorties at Holloman AFB would increase by about 4,300 sorties per year (17 sorties per day based on 250 flying days per year) under the proposed action relative to expected baseline level of activity in FY00. These sorties would be carried out in various airspace as described in Chapter 2. Most areas would receive relatively few additional sorties. In the case of VR-176, which overlies the area surrounding Truth or Consequences, New Mexico, the increase in activity would amount to about 2.5 additional sorties per flying day, as an average.

TC-11 Under the West Otero Mesa training option, initial construction would disturb 1,104 acres.. Under the Tularosa Basin training option, initial construction would disturb 5,200 acres. During the operational use of the NTC, the disturbed area would be 1,104 acres. See Section 4.5 for biological impacts.

TC-12 The procedure used to calculate the noise levels and their impacts represents the best available technology. The use of these procedures was reaffirmed as recently as 1992 by the Federal Interagency Committee on Noise (FICON, 1992), which included representatives of the Department of Defense, the Environmental Protection Agency, the Department of Transportation, the Department of Housing and Urban Development, and the Department of Veteran Affairs. Section 4.2 of the EIS details the noise modeling approach, the reliability of the noise predictions, and the accuracy of the noise predictions. The analytical approach and level of analysis for the McGregor Range area is considered to be appropriate for impact assessment.

TC-13 Public access to McGregor Range may continue to be available during weekday hours when there is no military activity. Access to the NTC impact area, however, would be precluded. Additional information and analysis of impacts to grazing are provided in Sections 3.3, 3.9, 4.3, and 4.9.

TC-14 The newly adopted air quality standards will be implemented by the New Mexico and Texas State agencies at a future date. At that time Holloman AFB will comply with applicable requirements.

TC-15 If U.S. law is violated by a member of the German forces, the violation would be legally addressed and dealt with by that country determined to have jurisdiction in accordance with the NATO Status

of Forces Agreement and bilateral arrangements between the United States and Germany.

TC-16 Language is not considered a safety issue. In fact, English is the standard international aviation language.

TC-17 The Air Force is required to comply with the Endangered Species Act. The Air Force is currently consulting with U.S. Fish and Wildlife Service (Section 7 of the Endangered Species Act) to determine potential impacts.

TC-18 Language is not considered a safety issue. In fact, English is the standard international aviation language.

TC-19 Airspace management and safety issues are examined in Sections 4.1 and 4.13 of the EIS.

TC-20 A "weekend training option" is not considered to be materially different, in most respects, from the Existing Range training option assessed under the proposed action. In neither case would a new target complex be constructed, and airspace use would be similar. Since the total number of sorties would be similar, environmental impacts related to airspace use would also be similar. A weekend training option would, however, require a substantial buildup of support personnel at Holloman AFB. In addition, a change to a routine weekend-training regimen would, in peacetime, result in unwarranted hardship on the family life of U.S. Air Force aircrew and support personnel. As with the Existing Range training option, this option would result in a reduction in training effectiveness, and would require some components of the Tornado training syllabus to be met elsewhere. Since a weekend training option would yield no training benefit other than that which could be obtained through a less costly and morale-damaging option, it was concluded that there would be no merit in examining this option in detail.

TC-21 The Air Force is currently consulting with U.S. Fish and Wildlife Service (Section 7 of the Endangered Species Act) to determine potential impacts.

TC-22 A "weekend training option" is not considered to be materially different, in most respects, from the Existing Range training option assessed under the proposed action. In neither case would a new target complex be constructed, and airspace use would be similar. Since the total number of sorties would be similar, environmental impacts related to airspace use would also be similar. A weekend training option would, however, require a substantial buildup of

support personnel at Holloman AFB. In addition, a change to a routine weekend-training regimen would, in peacetime, result in unwarranted hardship on the family life of U.S. Air Force aircrew and support personnel. As with the Existing Range training option, this option would result in a reduction in training effectiveness, and would require some components of the Tornado training syllabus to be met elsewhere. Since a weekend training option would yield no training benefit other than that which could be obtained through a less costly and morale damaging option, it was concluded that there would be no merit in examining this option in detail.

TC-23 Data on personnel based at Holloman are provided in Table 2.1-2 of the EIS.

TC-24 The proposed action does not involve the acquisition of public land. All lands directly involved in the development of a new target complex are within the existing boundaries of McGregor Range. The U.S. Army would continue to control and manage this property.

TC-25 The regulation that implements NEPA (40 CFR 1500-1508) provides a lengthy definition of "significantly." In summary, it states that significantly "requires consideration of both context and intensity."

TC-26 The proposed action does not involve the acquisition of public land. All lands directly involved in the development of a new target complex are within the existing boundaries of McGregor Range. The U.S. Army would continue to control and manage this property.

TC-27 Property that would be used for the new target complex is part of the existing McGregor Range. The proposed action does not involve the acquisition of private lands.

TC-28 All supersonic activity under the proposed action, no more than 24 sorties per year airspace at altitudes above 10,000 feet MSL, would be confined to WSMR supersonic airspace, which is fully contained within WSMR restricted airspace. Elephant Butte and Caballo dams are more than 10 miles from the land boundaries of WSMR. At this distance the force from sonic booms from aircraft under the proposed action would not be sufficient to cause damage to these structures.

TC-29 The purpose and need for the proposed action are fully addressed in Chapter 1.

TC-30 The EIS contains additional information on impacts to residents east of McGregor Range (see Sections 4.3 and 4.4). It is not expected that relocation would be necessary. However, real property losses and

economic losses can only be determined by review of the circumstances of each individual case.

TC-31 Section 4.3 has been expanded to further address land use compatibility with proposed operations.

TC-32 Tables 4.2-1 and 4.2-2 in the EIS present the sound levels for the different types of military aircraft. Additional information on human health effects, including hearing damage, has been provided in Section 4.2.

TC-33 Section 3.2 has been expanded in response to public comments to further explain the use of day-night average sound level measurements. The procedure used to calculate the noise levels and their impacts represents the best available technology. The use of these procedures was reaffirmed as recently as 1992 by the Federal Interagency Committee on Noise (FICON, 1992), which included representatives of the Department of Defense, the Environmental Protection Agency, the Department of Transportation, the Department of Housing and Urban Development, and the Department of Veteran Affairs.

TC-34 A "weekend training option" is not considered to be materially different, in most respects, from the Existing Range training option assessed under the proposed action. In neither case would a new target complex be constructed, and airspace use would be similar. Since the total number of sorties would be similar, environmental impacts related to airspace use would also be similar. A weekend training option would, however, require a substantial buildup of support personnel and at Holloman AFB. In addition, a change to a routine weekend-training regimen would, in peacetime, result in unwarranted hardship on the family life of U.S. Air Force aircrew and support personnel. As with the Existing Range training option, this option would result in a reduction in training effectiveness, and would require some components of the Tornado training syllabus to be met elsewhere. Since a weekend training option would yield no training benefit other than that which could be obtained through a less costly and morale damaging option, it was concluded that there would be no merit in examining this option in detail.

TC-35 Populated areas are to be avoided in accordance with Air Force instructions and any special operating procedures identified for military training airspace. Non-compliance with these instructions should be reported to the Public Affairs Office at Holloman AFB (505-475-5406).

TC-36 The EIS addresses both socioeconomic and general environmental impacts.

TC-37 The variety of Air Force activities in the region are not a part of a single program or policy initiative regarding training and airspace use. Separate analyses of these various activities will adequately assess their combined cumulative impacts. Consequently, a programmatic EIS is not needed.

TC-38 The commenter is correct in that, for most purposes a cumulative measure of noise is indeed the appropriate metric. (This is particularly true for purposes of evaluating human impact due to a changing noise environment associated with jet aircraft overflight.) This is because the proposed action would not result in a change in aircraft type or operational use of most airspace over conditions that would prevail in FY00. As a result, noise levels experienced by a ground observer during individual overflights would not change; that is, the single-event noise levels would be the same with or without the proposed action. However, under the proposed action the number of sorties to specific airspace would change. As a result, the overall noise environment (the "cumulative" effect referred to in the comment) would also change. It is these cumulative noise effects that are of concern in evaluating the effects of the proposed action on the human population.

The expected changes in cumulative noise levels under the proposed action are projected in Section 4.2 of the EIS. Under the NTC training options, including the preferred option (West Otero Mesa NTC), the projected changes would be less than 3 dB (L_{dnmr}). Generally, these changes would be imperceptible to the human ear. In no case would the NTC training options result in a change in noise levels that would be considered substantial, and no significant impact on the human population would be expected. This conclusion remains the same under the Existing Range training option. No substantial change in noise levels would be expected in most areas. Several areas would, however, receive changes of more than 7 dB, a substantial increase. In none of these instances would the resulting noise levels exceed 65 dB.

TC-39 Under the West Otero Mesa training option, initial construction would disturb 1,104 acres. Under the Tularosa Basin training option, initial construction would disturb 5,200 acres. During the operational use of the NTC, the disturbed area would be 1,104 acres. See Section 4.5 for biological impacts.

TC-40 This is discussed in Sections 3.3 and 4.3.

TC-41 As indicated in Section 4.3, access to the range may be available during weekday hours when there is no military activity.

TC-42 Initially, 12 areas were identified as possible candidate target locations within which an NTC could be constructed to support the proposed action. These 12 candidate target locations included an area on WSMR (Location 12), an area on Doña Ana Range (Location 9) and an area on McGregor Range (Location 10). Factors considered in the selection process are presented in Chapter 2.

TC-43 Comment noted.

TC-44 Additional information on historical land use has been incorporated into Section 3.3.

TC-45 The EIS has been revised where appropriate, when comments have been made concerning specific errors or misunderstandings. The Air Force has made every effort to accurately portray conditions and impacts pursuant to the proposed action training options.

TC-46 The route west of Truth or Consequences would be affected by the proposed action. (See Chapter 2). However, supersonic flight is not authorized on military training routes. All supersonic activity under the proposed action, no more than 24 sorties per year airspace at altitudes above 10,000 feet MSL, would be confined to WSMR supersonic airspace, which is fully contained within WSMR restricted airspace.

Response to Comments
Received at Fort Sumner, New Mexico,
11 July 1997

FS-1 Melrose Range lies closer to Ft. Sumner (about 25 miles) than to Clovis, NM (about 35 miles).

FS-2 The Reese Military Operations Area (MOA) would not be used under this action.

FS-3 Section 2.1 describes low-level training requirements.

FS-4 The sound level of a low-flying military aircraft is primarily dependent on the speed of the aircraft, the altitude, and the horizontal distance as measured from directly under the flightpath to the receiver (sideline distance). It is possible that an F-16 may seem louder than an F-111 depending on the situation of the two aircraft.

FS-5 See Section 4.2, Noise.

FS-6 The commenter is correct in the observation that data on the response of ostriches to aircraft noise are sparse. However, additional information concerning the response of domestic animals to aircraft noise has been included in Appendix J. This represents the best available data that can be used to assess issues related to the response of domestic animals to noise.

FS-7 Comment noted.

Response to Comments
Received at Carrizozo, New Mexico,
12 July 1997

CZ-1 The Memorandum of Agreement between the U.S. and Germany, which clarifies funding responsibilities for the proposed action, has been added to the EIS as Appendix A. The United States would pay for those elements of the proposed action that directly benefit the U.S. Air Force. U.S. aircrew training, for example, would benefit from use of the new target complex (NTC); 40 percent of the costs of the NTC would be paid for by the U.S.

CZ-2 Section 4.13 has been expanded to address this issue.

CZ-3 Airspace management and safety issues are addressed in Section 4.13. The proposed action does not involve any change in airspace structure.

CZ-4 The issue of discomfort from noise is addressed in Appendix D.

CZ-5 Additional information and analysis of impacts on grazing have been included in Sections 3.3 and 4.3 of the document. Implementation of the West Otero Mesa training option would preclude grazing within the 5,120-acre impact area. Grazing would continue to be permitted on other existing grazing lands on west Otero Mesa.

CZ-6 Property damage and associated economic losses can only be determined by review of the circumstances of the individual case.

CZ-7 The Memorandum of Agreement between the U.S. and Germany, which clarifies funding responsibilities for the proposed action, has been added to the EIS as Appendix A. The United States would pay for those elements of the proposed action which directly benefit the U.S. Air Force. U.S. aircrew training, for example, would benefit from use of the NTC; 40 percent of the costs of the NTC would be paid for by the U.S.

CZ-8 The proposed action does not involve the designation or expansion of military airspace. No change in airspace structure or permitted flight altitudes would be required to support the proposed action. Use of existing military airspace would change as described in Chapter 2 of the EIS. Under the preferred training option (West Otero Mesa NTC), use of airspace in the area north of Carrizozo would increase by about four sorties per day, or about 25 percent above expected FY00 use.

Airspace management and safety issues related to these changes are addressed in Sections 4.1 and 4.13.

CZ-9 Section 4.2 has been expanded to provide additional information on the possible health effects of aircraft noise.

CZ-10 The model used for these analyses (MRNMAP) incorporates the best available technology for noise prediction for military aircraft flight. The results obtained with the model have been validated with data obtained from noise monitoring studies for more than 10 MTRs. The Air Force is satisfied that the model accurately predicts noise levels that would result from a given level of aircraft activity on MTRs.

CZ-11 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been included in Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage.

CZ-12 The purpose and need for this action are fully discussed in Chapter 1.

CZ-13 The changes in aircraft and operation levels are described in Chapter 2 of the EIS.

CZ-14 Section 3.2 has been expanded in response to public comment to further explain the use of day-night average sound level measurements. Sound levels of Tornado aircraft are also provided in Section 4.2.

CZ-15 The maximum noise levels under the proposed action that would be achieved by military aircraft at 100 feet AGL would be under 130 dB. Studies have shown that there is the potential for structural damage at noise levels above 130 dB.

CZ-16 Additional information on human health effects, including hearing damage, has been provided in Section 4.2.

CZ-17 It is highly unlikely that the thermoregulatory mechanism of any animal would not be able to compensate for the heat induced by exposure to by radio frequency energy. This is due to the fact that they would not be exposed to direct impingement of a radar beam for a sufficient period of time to cause permanent damage.

Response to Comments
Received at received at Alamogordo, New Mexico,
13 July 1997

AG-1 Chapter 1 fully addresses the purpose and need of the proposed action.

AG-2 The meaning of the term "nearby" is context-specific. As used in the presentation, "nearby" referred to the immediate vicinity of the centerline of the MTRs. Data on the sound levels that would be expected at various distances from the line of passage due to individual overflight have been added to the EIS (see Section 4.3). These data can be used to judge how noise levels from individual overflights decrease with distance from the line of passage, thereby giving context to the term "nearby".

AG-3 Altitude profiles are provided in Chapter 2.

AG-4 "Hush houses" are routinely used at AFB to mute noise from jet engines during testing and repair. The use of such devices, however, is not practicable during flight. Under flight conditions, the Air Force relies primarily on aircraft design to minimize noise emissions as much as possible. Indeed, advanced fighter designs, using "stealth" techniques, have made considerable strides in reducing aircraft noise. Nonetheless, jet aircraft continue to produce substantial noise levels. To the extent practicable, the Air Force seeks to minimize noise levels from jet aircraft overflight through the avoidance of sensitive locations.

AG-5 The Memorandum of Agreement between the U.S. and Germany, which clarifies funding responsibilities for the proposed action, has been added to the EIS as Appendix A. The United States would pay for those elements of the proposed action which directly benefit the U.S. Air Force. U.S. aircrew training, for example, would benefit from use of the new target complex (NTC); 40 percent of the costs of the NTC would be paid for by the U.S.

AG-6 The meaning of the term "nearby" is context-specific. As used in the presentation, "nearby" referred to the immediate vicinity of the centerline of the MTRs. Data on the sound levels that would be expected at various distances from the line of passage due to individual overflight have been added to the EIS (see Section 4.3). These data can be used to judge how noise levels from individual overflights decrease with distance from the line of passage, thereby giving context to the term "nearby".

AG-7 Figures 3.2-1 through 3.2-3 present the noise contours surrounding Holloman Air Force Base. The noise contours are developed from a computer model and are not derived from measurements and therefore do not require depicting error bars or measures of deviation from the median.

AG-8 The noise contours referred to are generated using computer models. While these models have been extensively tested and verified with empirical data, the noise contours depicted do not represent measured values.

AG-9 Purpose and need for the proposed action is discussed in Chapter 1. While the proposed action is intended to support national military objectives, those objectives are not the subject of the EIS.

AG-10 Additional information is provided in Section 4.5 to clarify vegetation losses under the proposed action.

AG-11 In response to public comments, information on wind dispersal has been included in the EIS (see Section 4.4). Inert/subscale munitions, however, do not generate more than trace amounts of munition residues. Wind dispersal of such residues would not be measurable. Live munitions generate somewhat more residue, but the amount is still considered negligible. During the combustion process of high explosive materials, consumption approaches 100 percent. Therefore, residues are negligible.

AG-12 In response to public comment, additional information on the nature of TNT has been incorporated in the EIS (see Section 3.13.1.2).

AG-13 The flight profiles provided in Table 2.1-8 present airspeeds and altitudes characteristic of operations in the affected airspace for the proposed action. The procedures and source terms used in the analyses represent the best available technology and most appropriate data for the analyses involved. The maximum noise levels under the proposed action that would be achieved by military aircraft at 100 feet AGL would be under 130 dB. Studies have shown that there is the potential for structural damage at noise levels above 130 dB.

AG-14 In response to public comment, Sections 3.3, 4.3, 3.9, and 4.9 have been expanded to give further consideration to rural conditions.

AG-15 Data on the number of sorties and flight duration for individual sorties are provided in Chapter 2. It is difficult to predict the precise interval between overflights of a particular point on the ground.

This is because flying requirements vary over the duration of a training course, because flights are not flown on weekends, and because in some instances sorties may be flown in multiple ship formations. In addition, sorties are distributed about the centerline of a route; particularly on wide routes, it is unlikely that successive sorties would overfly the same point. These factors make it difficult to precisely predict the interval between sorties that a ground-based observer might experience.

AG-16 Property damage and associated economic losses can only be determined by review of the circumstances of the individual case. Information on filing claims for damages can be obtained by contacting the Holloman Public Affairs Office at 505-475-5406.

AG-17 Section 3.2 has been expanded in response to public comment to further explain the use of day-night average sound level measurements. Sound levels of Tornado aircraft are also provided in Section 4.2.

AG-18 Potential impacts to these species are addressed in Section 4.5 and Appendix J. Additional information has been provided in the EIS.

AG-19 Impacts related to increased use of the highway system due to increases in personnel at Holloman AFB are evaluated in Section 4.10.

AG-20 As indicated in Section 4.3, access to the range may be available during weekday hours when there is no military activity.

AG-21 Air Force personnel met with Otero County officials on eight occasions to discuss the proposed action, exchange information, and provide them with an opportunity to contribute to the process. Five copies of the Draft EIS were provided to the Otero County Commission on June 20, 1997, the first day of the comment period.

AG-22 The information provided by the Otero County Commission concerning customs, culture, and related topics was used in the development of land use analysis in the Draft EIS. Some of these materials were considered to be informal documentation and could not be referenced. Based on the review of these materials, topics of particular concern, such as grazing rights, were addressed in the Draft EIS. In response to public comment, additional information on these topics has been included in the Final EIS.

AG-23 Air Force personnel met with Otero County officials on eight occasions to discuss the proposed action, exchange information, and

provide them with an opportunity to contribute to the process. Five copies of the Draft EIS were provided to the Otero County Commission on June 20, 1997, the first day of the comment period.

AG-24 In response to public comments, further information on this subject has been added to Section 4.5.

AG-25 The proposed action does not involve the acquisition of privately held land. The area that would be used for an NTC is within the boundaries of the existing McGregor Range. Portions of this area are used by private individuals through arrangement with the Bureau of Land Management (BLM), U.S. Forest Service, and Fort Bliss, for purposes of cattle grazing, hunting, and recreation. Access to the area by private citizens is through the issuance of grazing or other permits. The development of an NTC on McGregor Range would have no impact on the proportion of privately deeded land.

AG-26 In response to public comment, Section 4.9 has been expanded to address this issue.

AG-27 The Air Force is ultimately responsible for ensuring the analysis in full compliance with the NEPA.

AG-28 Issues related to "suburbia" would be considered under the category of socioeconomic resources. The socioeconomic region of influence for the proposed action includes Otero and Doña Ana counties in New Mexico, and El Paso County in Texas. Considerable detail is provided concerning socioeconomic conditions within this region. The characterization of the region of influence is adequate to meet the needs of the impact analysis required under NEPA.

AG-29 Additional information on issues related to water supply and historical use have been incorporated into Sections 3.3, 3.7, 4.3, and 4.7.

AG-30 PL 99-606 includes provisions for extending the withdrawal after the 15-year period.

AG-31 The Bureau of Land Management made this recommendation in the New Mexico Wilderness Study Report, 1991. Section 3.3 of the EIS has been modified to include this citation.

AG-32 Section 3.2 has been expanded in response to public comments to further explain the use of day-night average sound level measurements.

AG-33 Ft. Bliss would have primary responsibility for the management of McGregor Range. However, day-to-day operations and management of the NTC in general would be the responsibility of the Air Force. The NTC would be managed in much the same manner as the existing Red Rio and Oscura impact areas. Chapter 2 of the EIS has been expanded to reflect this information. The proposed action does not involve the acquisition of private property.

AG-34 The EIS addresses groundwater issues in Section 4.7. The proposed action is not expected to have a significant effect on water supply and demand.

AG-35 Portions of the affected MTRs in both west Texas and New Mexico were modified under a previous proposal with separate environmental analysis.

AG-36 Aircraft turbulence from low-level overflight (also known as "wing-tip vortices") is a very localized phenomenon. The vortices quickly abate with time and distance from the aircraft. The Air Force makes every effort to avoid overflight of human beings by 500 feet as required by FAA and USAF regulations.

AG-37 Impacts to domestic animals and wildlife have been identified and are discussed in Section 4.5 and Appendix J. In response to public comment, additional information on this subject has been included in Appendix J. As discussed, in some circumstances, low-level aircraft flight may result in incidental livestock startle that may or may not lead to livestock damage.

AG-38 Alternatives to the proposed action are considered in Chapter 2. This alternative was considered, but was not considered significantly different from the Existing Range training option. It was not, therefore, carried forward for detailed consideration.

AG-39 Public access to McGregor Range may continue to be available during weekday hours when there is no military activity. Access to the NTC impact area, however, would be precluded.

AG-40 It should be noted that the use of the restricted airspace above McGregor Range predates the establishment of Culp Wilderness Study Area, and that this pre-existing military activity was considered as a possible reason for not making it a Wilderness Area. Further, under the NTC training options, proposed aircraft activity would be concentrated tightly along the proposed flight patterns. As shown in Figure 4.2-4, noise levels would drop off rapidly with distance from the centerline of the flight pattern, and would return to baseline

levels within less than a mile of the centerline. The nearest border of the Culp WSA is two to three miles from the closest flight pattern for the Tularosa Basin NTC, and more than five miles for the closest flight pattern for the West Otero Mesa NTC. Thus, noise levels at Culp Canyon WSA would not be affected by the proposed action.

AG-41 The Air Force is participating in consultation with the USFWS concerning threatened and endangered species. The text of the EIS takes into account information developed during this process.

AG-42 Air Force personnel met with Otero County officials on eight occasions to discuss the proposed action, exchange information, and provide them with an opportunity to contribute to the process. Five copies of the Draft EIS were provided to the Otero County Commission on June 20, 1997, the first day of the comment period.

AG-43 Because most of the German families rent housing, they do not directly pay property taxes. However, their rent goes to the landlords who are paying property taxes.

AG-44 Potential impacts to livestock are described in Section 4.5 and Appendix J.

AG-45 Sections 3.13 and 4.13 of the EIS address mishap rates of Tornado aircraft.

AG-46 Safety practices and procedures applicable to ordnance use are discussed in Section 3.13.

AG-47 In both the United Sates and German Air Forces, all personnel are trained and fully qualified for the tasks they perform in supporting the operation and maintenance of their applicable aircraft.

AG-48 GAF personnel would be subject to the same criminal and civil laws as USAF pilots.

AG-49 Additional information and analysis of grazing activities on McGregor Range have been included in the document in Sections 3.3 and 4.3.

AG-50 Section 4.3 of the EIS addresses the potential impacts on maintenance activities for these grazing units.

AG-51 Coyotes were not included in the text or tables because of their broad distribution; the text has been modified to include this species. Badgers are listed on Table 3.5-3 (p. 3-80 of the Draft EIS). Lions are

listed in Table 3.5-1 (p. 3-67 of the Draft EIS). Foxes are listed on Table 3.5-4.

AG-52 Section 4.3 of the EIS addresses the potential impacts on maintenance activities for these grazing units.

AG-53 Additional information on historical use has been incorporated into Section 3.3.

AG-54 PL 99-606 also includes provisions for extending the withdrawal after the 15 year period.

AG-55 The Bureau of Land Management made this recommendation in the New Mexico Wilderness Study Report, 1991. Section 3.3 of the EIS has been modified to include this citation.

AG-56 Section 3.2 has been expanded in response to public comment to further explain the use of day-night average sound level measurements. Sound levels of Tornado aircraft are also provided in Section 4.2.

AG-57 Ft. Bliss would have primary responsibility for the management of McGregor Range. However, day-to-day operations and management of the NTC in general would be the responsibility of the Air Force. The NTC would be managed in much the same manner as the existing Red Rio and Oscura impact areas to include regular cleanup. Chapter 2 of the EIS has been expanded to reflect this information.

AG-58 The range of potential effects of an aircraft accident is discussed in Section 3.13.

AG-59 S. Browning, Planning Coordinator, Otero County, is listed under personal communications. Ruth Hooser, County Manager, Otero County, was contacted and provided information for Table G.2.6-2. Air Force personnel met with Otero County officials on eight occasions to discuss the proposed action, exchange information, and provide them with an opportunity to contribute to the process. Copies of the Draft EIS were provided to the Otero County Commission on 20 June 1997, the first day of the public comment period. Sections 3.3 and 4.3 include a summary of the topics of concern in the Otero County documentation and anticipated effects of the action on these uses.

APPENDIX A

PUBLIC/MEDIA NOTIFICATIONS

APPENDIX A

SAMPLE DOCUMENTS

1. Notice Of Availability
2. Press Release
3. Public Service Announcement
4. Notification Letters
5. Fact Sheets
6. Sign-In Sheet
7. Written Comment Sheet
8. Registration Card

1. Notice of Availability

NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
FOR THE PROPOSED EXPANSION OF GERMAN AIR FORCE OPERATIONS AT HOLLOMAN AFB, NEW MEXICO

The United States Air Force (Air Force), in accordance with the National Environmental Policy Act, has prepared an Environmental Impact Statement for the proposed beddown of 30 additional German Air Force Tornado aircraft and associated operations at Holloman Air Force Base (AFB), New Mexico. The U.S. Army is a cooperating agency for this analysis.

The document analyzes the potential environmental impacts of establishing a German Air Force Replacement Training Unit (RTU) at Holloman AFB, New Mexico. The proposed action would include the beddown of 30 German Air Force Tornado aircraft and location of 640 additional personnel at Holloman AFB and the construction of associated support facilities. In order to meet the training needs of the Tornado aircrews, three training options are being considered:

- Constructing a new target complex in the western Otero Mesa portion of the McGregor Range, located in southern New Mexico, for air-to-ground training. The target complex would be comprised of a 2-by-4-square-mile impact area within a 12-by-15-square-mile safety area. Construction activities would be primarily confined to a 5,120-acre impact area.

- Constructing a new target complex in the Tularosa Basin portions of McGregor Range, located in southern New Mexico, for air-to-ground training. The target complex would be comprised of a 2-by-4-square-mile impact area within a 12-by-15-square-mile safety area. Construction activities would be primarily confined to a 5,120 acre impact area.

- Using existing target areas for air-to-ground training. Under this option, a new target complex would not be constructed. Air-to-ground weapons training would use the existing ranges and target complexes on White Sands Missile Range and Melrose Range.

The document also presents an analysis of environmental impacts under the No-Action alternative.

The 45-day public comment period on the DEIS begins on the date of publication of the Notice of Availability in the *Federal Register*. Public hearings are scheduled for the following dates and locations:

July 7, 1997 (Monday), Alpine Civic Center, Alpine, Texas, 6:00–10:00 p.m.

July 8, 1997 (Tuesday), Dell City Community Building, Dell City, Texas, 6:00–10:00 p.m.

July 9, 1997 (Wednesday), Truth or Consequences Civic and Activity Center, Truth or Consequences, New Mexico, 6:00–10:00 p.m.

July 10, 1997 (Thursday), Fort Sumner Community House, Fort Sumner New Mexico, 6:00–10:00 p.m.

July 11, 1997 (Friday), Lincoln County Commission Chambers, Carrizozo, New Mexico, 6:00–10:00 p.m.

July 12, 1997 (Saturday), Ditzler Auditorium, Alamogordo, New Mexico, 9:00 a.m.–1:00 p.m.

Written comments on this document should be directed to U.S. Air Force, Headquarters Air Combat Command, 129 Andrews Street, Suite 102, Langley Air Force Base, Virginia 23665-2769, ATTN: Sheryl K. Parker. For telephone inquiries, please contact (757) 764-3328.

2. Press Release

For Immediate Release

AIR FORCE ANNOUNCES PUBLIC HEARINGS FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT ON EXPANSION OF GERMAN AIR FORCE OPERATIONS AT HOLLOMAN AIR FORCE BASE

The United States Air Force announced today that it will conduct public hearings in connection with the newly released Draft Environmental Impact Statement (DEIS) for the Expansion of German Air Force Operations at Holloman Air Force Base (AFB), New Mexico. The hearings will be held at four locations in New Mexico and two in Texas. The document will be available for review at many public and university libraries in New Mexico and West Texas throughout the public comment period, which began June 20 and extends for 45 days until August 4.

The document analyzes the potential environmental impacts of establishing a German Air Force Replacement Training Unit (RTU) at Holloman AFB, New Mexico. The proposed action would include the beddown of 30 German Air Force Tornado aircraft and location of 640 additional personnel at Holloman AFB and the construction of associated support facilities. The three options being considered to meet the air-to-ground training requirements include (1) establishing a new tactical target complex on the west edge of Otero Mesa within the McGregor Range in southern New Mexico, (2) establishing a new tactical target complex within the Tularosa Basin portion of McGregor Range, or (3) using only existing target ranges. Aircraft would access either of the proposed ranges or existing ranges using existing military training routes.

The EIS is being prepared in compliance with the National Environmental Policy Act of 1969. The Air Force invites elected officials, government agency representatives, and private citizens to participate in the public hearings to provide comments on the environmental issues addressed in the Draft EIS. Comments at the public hearings on the Air Force's proposal will be considered and responded to in the Final EIS, scheduled for completion in November 1997. The environmental issues analyzed in the EIS will be used in the decision-making process. Comments received at the public hearings or at any time throughout the environmental impact analysis process will be considered to the extent possible in the preparation of the EIS. A Record of Decision on the proposed action is projected for December 1997.

Anyone wishing to submit verbal or written comments may present them at the public hearings, to be held July 7, Alpine Civic Center, 801 W. Holland, Alpine, Texas; July 8, Dell City Community Building, 100 W. Orange, Dell City, Texas; July 9, Truth or Consequences Civic and Activity Center, 400 W. Fourth, Truth or Consequences, New Mexico; July 10, Fort Sumner Community House, 1204 N. Fourth, Fort Sumner, New Mexico; July 11, Lincoln County Commission Chambers, 300 Central, Carrizozo, New Mexico; and July 12, Ditzler

Auditorium, 1900 N. White Sands Boulevard, Alamogordo, New Mexico. All hearings will be held from 6:00 to 10:00 p.m., with the exception of the Alamogordo meeting, which will be held from 9:00 a.m. to 1:00 p.m.

Written comments may also be mailed to the attention of Ms. Sheryl Parker, Air Combat Command Environmental Analysis Branch, HQ ACC/CEVA, Langley Air Force Base, Virginia 23665-2769. For further information on hearings or document locations, contact Holloman AFB Public Affairs at (505) 475-5406.

(end)

3. Public Service Announcement

PUBLIC SERVICE ANNOUNCEMENT

THE AIR FORCE WILL CONDUCT A PUBLIC HEARING ON ITS RECENTLY RELEASED DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR EXPANDING GERMAN AIR FORCE OPERATIONS AT HOLLOMAN AIR FORCE BASE. THE MEETING WILL BE HELD ON JULY _____ AT _____ FROM 6 TO 10 P.M.

AIR FORCE REPRESENTATIVES WILL PRESENT INFORMATION ON ENVIRONMENTAL IMPACTS OF ITS PLAN TO LOCATE 30 ADDITIONAL GERMAN AIR FORCE AIRCRAFT AT HOLLOMAN AIR FORCE BASE. THE PUBLIC IS INVITED TO PROVIDE COMMENTS ON ENVIRONMENTAL ISSUES DESCRIBED IN THE DOCUMENT THAT ARE ASSOCIATED WITH THE PROPOSED AIR FORCE ACTION. FOR MORE INFORMATION, CONTACT HOLLOMAN PUBLIC AFFAIRS AT 505-475-5406.

(Radio stations in Alamogordo, Alpine, Carrizozo, Dell City, Fort Sumner, and Truth or Consequences will receive appropriate copy reflecting meetings dates and locations in those towns.)

4. Notification Letters

June 20, 1997

Dear Community Member:

The Air Force plans to conduct public hearings in Alpine and Dell City, Texas, and in Truth or Consequences, Fort Sumner, Carrizozo, and Alamogordo, New Mexico, on the recently released Draft Environmental Impact Statement (DEIS) for the Proposed Expansion of German Air Force Operations at Holloman Air Force Base (AFB), New Mexico. The Air Force invites you to participate in these public hearings.

The document analyzes the potential environmental impacts of establishing a German Air Force Replacement Training Unit (RTU) at Holloman AFB, New Mexico. The proposed action would include the beddown of 30 German Air Force Tornado aircraft and location of 640 additional personnel at Holloman AFB and the construction of associated support facilities.

The three options being considered to meet the air-to-ground training requirements include (1) establishing a new tactical target complex on the west edge of Otero Mesa within the McGregor Range in southern New Mexico, (2) establishing a new tactical target complex within the Tularosa Basin portion of McGregor Range, or (3) using only existing target ranges. Aircraft would access either of the proposed ranges or existing ranges using existing military training routes.

The DEIS examines potential impacts on the environment from each of the proposed action options. Also examined are environmental impacts of the No-Action alternative, which analyzes the environment as is, without the additional aircraft, personnel relocation, training options, or change in airspace use. Areas of environmental impact analysis include land use, biological resources, soils, air quality, cultural resources, noise, safety, and other categories of study.

The Air Force is conducting the public hearings as outlined in the Council on Environmental Quality (CEQ) Regulations implementing the National Environmental Policy Act (NEPA). They are designed to gather public comment on the DEIS and are being held in communities in the vicinity of Holloman AFB, McGregor Range, and other areas in the region that may be affected by the proposal.

During the hearings, the Air Force will present information about the proposed action and No-Action alternatives, potential environmental impacts, and the EIS process and will invite comments on environmental issues that are contained in the draft document. The schedule for the scoping meetings is as follows:

Locations	Date	Site	Time
Alpine	July 7, 1997	Alpine Civic Center 801 W. Holland	6–10 p.m.
Dell City	July 8, 1997	Dell City Community Building 100 W. Orange	6–10 p.m.
Truth or Consequences	July 9, 1997	Truth or Consequences Civic and Activity Center 400 W. Fourth	6–10 p.m.
Fort Sumner	July 10, 1997	Fort Sumner Community House 1204 N. Fourth	6–10 p.m.
Carrizozo	July 11, 1997	Lincoln County Commission Chambers 300 Central	6–10 p.m.
Alamogordo	July 12, 1997	Ditzler Auditorium 1900 N. White Sands Boulevard	9 a.m.–1 p.m.

For the environmental impact process to be effective, your participation is needed during these public hearings. If your attendance at one of the hearings is not possible, comments may be mailed to Ms. Sheryl K. Parker, HQ ACC/CEVA, 129 Andrews Street, Suite 102, Langley Air Force Base, Virginia 23665-2769. The 45-day public comment period for the DEIS began June 20 and ends August 4. If you have any questions or need further information, please contact the Holloman Air Force Base Public Affairs Office at (505) 475-5406 or write to me at the above address.

Sincerely,

Sheryl K. Parker
HQ Air Combat Command
EIS Project Officer

Attachments:
Notice of Availability, June 20, 1997
Document Availability List

5. Fact Sheets

CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

OVERVIEW

The U.S. Air Force has prepared a draft environmental impact statement to examine potential environmental consequences in connection with the proposed Expansion of German Air Force Operations at Holloman Air Force Base (AFB), New Mexico.

The draft environmental impact statement was prepared under the guidelines of the National Environmental Policy Act, which requires federal agencies to consider environmental consequences when they plan major actions. In accordance with the Act, the Air Force must follow a series of steps during the development of the environmental impact statement, including providing opportunities for the public to provide comments. The information the U.S. Air Force obtains through environmental analyses and from the input received from the public will assist it in the decision making concerning the proposed action and alternatives.

What the Air Force is Proposing

In order to further mutual U.S.-German bilateral goals, the Air Force is proposing to increase the scope of an agreement with the Federal Republic of Germany to provide training to the German Air Force at Holloman AFB. The proposed German Air Force expansion would establish a German Air Force Replacement Training Unit at Holloman. The replacement training unit is a school for Tornado aircrews. Under the proposed action, 30 additional German Tornado aircraft and 640 additional support personnel (approximately 1,500 including family members) would be located at Holloman.

The proposal would involve facility construction and associated operations at the base. New construction required as a result of this action would be located either adjacent to existing base facilities or sited on those areas of the base that are already developed.

To achieve proficiency, U.S. and German Air Force aircrews must be able to perform airfield approaches and departures (including "touch-and-gos") and specialized combat maneuvers, including low-level navigation along Military Training Routes and air-to-air combat in restricted airspace and Military Operations Areas.

Part of the Tornado aircrews' training includes air-to-ground munitions delivery. Therefore, the use of air-to-ground targets, target complexes, and ranges is a key part of the training "syllabus."

The proposed action has three air-to-ground munitions delivery training options. Two of them involve construction of a new target complex on McGregor Range, within the Fort Bliss Military Reservation south of Alamogordo, New Mexico. One location option is on west Otero Mesa, and the other is within the Tularosa Basin portion of McGregor Range. The third training option relies on use of existing ranges, Red Rio and Oscura, on White Sands Missile Range and the Melrose Range. The German Air Force would be primary users of a new target complex, if that training option were selected.

The No-Action Alternative

In addition to studying the potential environmental consequences of the proposed action, the U.S. Air Force will evaluate the "no-action" alternative of not locating 30 additional German Tornado aircraft, support personnel, equipment, and associated facilities at Holloman, and not constructing a new air-to-ground target complex or increasing use of existing ranges.

The decision about the proposed action in the environmental impact statement is scheduled to be made by the Secretary of the Air Force in December 1997.

About Holloman Air Force Base

Holloman AFB was first known as Alamogordo Army Air Field when it opened as a temporary war-time facility in 1942. Two years later, it became a training center for replacement crews for bombardment groups. With the birth of the atomic age and the conception of the space age, the base's size, isolation, and general weather conditions made it an ideal locale for continued use in furthering U.S. national security goals and meeting its military needs. In 1948, the base was renamed in honor of the late Colonel George V. Holloman.

Today, activities at the base fall under the U.S. Air Force's Air Combat Command. It is the home of the 49th Fighter Wing, which consists of 46 F-117s, 12 T-38 trainers, one HH-60 squadron (six aircraft), one German F-4 squadron (24 aircraft), and one German Air Force Tornado PA-200 aircraft squadron (12 aircraft). The base also supports other tenants. Currently, approximately 50,000 airfield operations (takeoffs, landings and approaches) are conducted annually at Holloman AFB. Approximately 6,000 people work and live on the base to support the squadrons and base missions.

Activities conducted at Holloman AFB not only meet the military needs of the U.S. government, but also help other nations meet theirs. Under an agreement between the U.S. government and the Federal Republic of Germany, the German Air Force has been conducting F-4 training for its aircrews at the base since 1992. Holloman AFB became home base to 12 German Tornado aircraft and 300 personnel in 1996. The training provided at Holloman AFB has helped to ensure that German Air Force aircrews are combat ready, should it become necessary to enter into joint allied military operations. This approach to military training is in keeping with our National Military Strategy, which emphasizes international training and military exchanges.

Holloman AFB was selected to host the German Air Force for many reasons, including:

- The availability of a wide variety of terrain for training;
- The accessibility of military training routes within close range of the base;
- The base's capacity to accommodate additional aircraft operations; and
- Its proximity to the German Air Force's U.S./Canadian Headquarters, located at Fort Bliss, Texas.

For More Information

For more detailed information about the proposal, please refer to the fact sheets entitled ***Airspace Requirements***, ***Operations and Construction***, ***Air-to-Ground Training Options***, ***Participating in the Environmental Impact Analysis Process***, and ***Environmental Impacts***.

Should you have any questions about the environmental impact statement the Air Force is preparing, please contact Holloman Air Force Base Public Affairs Office, 49 FW/PA, 490 First Street #2800, Holloman Air Force Base, NM 88330-8287; phone (505) 475-5406.

The Air Force needs your input. Thoughtful and clear comments help the Air Force to fulfill the goals of the National Environmental Policy Act and to make better decisions. Comments on the draft environmental impact statement will be accepted through August 4, 1997. Please send your comments to **Ms. Sheryl Parker, HQ ACC/CEVA, 129 Andrews Street, Suite 102, Langley Air Force Base, VA 23665-2769.**

CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

AIRSPACE REQUIREMENTS

Since the end of the Cold War, U.S. policy has focused on maintaining national security and contributing to world stability through multinational allied actions. To ensure the success of these initiatives, and in keeping with our country's National Military Strategy, it is essential to provide both U.S. and allied aircrews with the highest caliber training.

To further these mutual goals, the governments of the United States and the Federal Republic of Germany entered into an agreement permitting the German Air Force to conduct aircrew training at Holloman Air Force Base (AFB), New Mexico. German Air Force training in F-4s has been conducted at Holloman AFB since 1992. In 1996, the German Air Force located 12 German Tornado aircraft and support personnel at Holloman AFB. The base was selected to host the German Air Force for many reasons, including its excellent flying weather and the availability of a wide variety of terrain within close range of the base, and its proximity to the German Air Force's U.S./Canadian Headquarters at Fort Bliss, Texas.

The Air Force has prepared a draft environmental impact statement for a proposed Expansion of German Air Force Operations at Holloman AFB, New Mexico. The U.S. Air Force is proposing to expand its existing Memorandum of Agreement with the Ministry of Defense, Federal Republic of Germany, to locate 30 additional German Tornado aircraft at Holloman AFB. The aircrews and support personnel would be part of a German Air Force Replacement Training Unit. The Replacement Training Unit is a school for Tornado aircrews. The proposed action includes German-financed support facilities on Holloman AFB, as well as increased operations in military-use airspace in the region.

If the proposed action is approved, the 49th Fighter Wing Commander would maintain overall responsibility for flying operations at Holloman AFB while the German Air Force Tactical Training Center Commander would conduct, under his own authority, Tornado training operations in accordance with applicable U.S. law and regulations, directives, and procedures. The German Air Force Tactical Training Center operations would also be conducted by the German Air Force Command in the United States and Canada, located at nearby Fort Bliss (near El Paso).

Airspace Requirements

German Air Force Tornado training involves four basic types of operations:

- Instrument training (including approaches, departures and "touch-and-gos");
- Low-altitude navigation along Military Training Routes;
- Air-to-air combat training in restricted airspace and Military Operations Areas; and
- Air-to-ground target training in restricted airspace.

Instrument training consists of practice departures, approaches, and enroute navigation designed to teach aircrews how to fly the aircraft in instrument or inclement weather conditions. Touch-and-gos are repeated practice takeoffs and landings in which pilots touch down on approach but, before coming to a full stop, immediately take off again. This exercise allows pilots to practice multiple takeoffs and landings in a single sortie.

Low-altitude flying is one of the most demanding training activities Tornado aircrews perform. To develop low-altitude flying skills, they must practice point-to-point navigation techniques. At the same time, they must avoid detection by simulated enemy ground sensors and evade simulated anti-aircraft defense weapons, such as surface-to-air missiles. This training is conducted at low altitudes and high speeds using terrain-following radar.

Because Federal Aviation Regulations generally prohibit flying faster than 250 knots (288 miles per hour) at altitudes lower than 10,000 feet, aircrews must use specially designated Military Training Routes to conduct high-speed low-altitude navigation training. Although there are no restrictions to civilian aircraft operating under visual flight rules flying along or crossing Military Training Routes, all pilots—civil and other government—should be aware that high-speed military flights

are conducted within these corridors. Currently, there are a number of Military Training Routes around Holloman AFB that can be used to meet the training requirements of German Air Force Tornado aircrews.

In addition to training to defend against enemy attack from the ground, such as surface-to-air missiles, German Air Force Tornados must be ready to counter aerial threats by adversary aircraft. This requires that they master air-to-air combat tactics and become experts at evading air-to-air threats. To conduct this type of training, German Air Force aircrews need enough airspace to perform a variety of air combat maneuvers (often known as "dog fights"). This air-to-air training is performed within airspace designated for military use, called Military Operations Areas, or in restricted airspace. Military Operations Areas serve to help separate air traffic flying under instrument flight rules from military training activities and inform air traffic flying under visual flight rules where that activity is taking place.

Currently, air-to-air training is being conducted by U.S. Air Force and German Air Force aircrews at Holloman AFB within the restricted airspace over White Sands Missile Range and in a number of existing Military Operations Areas in the region. Although the restricted airspace over White Sands Missile Range is preferred, access to that airspace is limited because of demands for test and evaluation activities which, on White Sands Missile Range, have priority over training missions.

Increased Use of Airspace

One of the many training activities that would increase under this proposed action would be the number of training flights, or "sorties," that would be conducted annually.

The expanded German Air Force mission would involve:

- 2,800 additional sorties in Military Training Routes;
- 3,200 additional air-to-air sorties in Military Operations Areas and restricted airspace; and
- 2,600 additional air-to-ground range sorties.

Less than 5 percent of these would occur after 10:00 p.m.

As part of the proposed action, three air-to-ground munitions delivery training options are being considered. Two of them involve construction of a new target complex on McGregor Range, within the Fort Bliss Military Reservation south of Alamogordo. One location option is on western Otero Mesa, and the other is within the Tularosa Basin portion of McGregor Range. The third training option relies on use of existing ranges, Red Rio and Oscura on White Sands Missile Range, and the Melrose Range.

The No-Action Alternative

As required by the National Environmental Policy Act, the environmental impact statement includes the "no-action" alternative, which would involve *not* relocating the 30 German Tornado aircraft, equipment, or personnel to Holloman AFB nor constructing a new target complex.

For More Information

If you would like additional information, please refer to the fact sheets entitled ***Overview***, ***Participating in the Environmental Impact Analysis Process***, ***Operations and Construction***, ***Air-to-Ground Training Options***, and ***Environmental Impacts***.

Should you have any questions about the environmental impact statement the Air Force is preparing, please contact: Holloman Air Force Base Public Affairs Office, 49 FW/PA, 490 First Street #2800, Holloman Air Force Base, NM 88330-8287; phone (505) 475-5406.

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CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

OPERATIONS AND CONSTRUCTION

Since 1992, the U.S. Air Force has supported German Air Force aircrew training operations at Holloman Air Force Base (AFB), located near Alamogordo, New Mexico. These operations have helped the United States and Germany meet existing requirements to train aircrews in a realistic training environment using sophisticated weaponry, combat tactics, and air-to-ground weapons delivery systems. Training and readiness are more important than ever before because of a changing international environment, a greater diversity of risks and threats, and smaller military budgets. This reality is reflected in the current National Military Strategy, which emphasizes international training and military exchanges.

To increase training opportunities for the aircrews of both nations and further mutual U.S.-German bilateral goals, the governments of the United States and Germany are proposing to increase the scope of the existing Memorandum of Agreement covering Tornado training at Holloman AFB, New Mexico.

The U.S. Air Force has prepared a draft environmental impact statement for the proposed Expansion of German Air Force Operations at Holloman AFB. The proposed action would help ensure that the U.S. and German Air Forces receive the highest quality training possible. This will ensure both countries' Air Forces are ready to participate in multilateral allied actions in the pursuit of world stability and international security.

The proposed action includes the construction of aircraft hangers, ramp space, office and storage space, and quarters at Holloman AFB. It also considers construction of a new air-to-ground tactical target complex, which is discussed in a companion fact sheet, ***Air-to-Ground Training Options***.

The Air Force Proposal

As part of its proposed action, the Air Force seeks to bring an additional 30 German Tornado aircraft, approximately 640 additional support personnel (approximately 1,500 including family members), and associated support vehicles and facilities to Holloman AFB. The aircrews and support personnel would be part of a German Air Force Replacement Training Unit. The Replacement Training Unit is a school for Tornado aircrews. This would result in an addition of approximately 4,300 sorties, or training flights, per year.

Proposed support facilities include the construction of:

- Maintenance hangars and facilities;
- A flight simulator facility;
- Aircraft shelters on the flight line;
- A jet engine shop;
- Munitions storage and maintenance facilities;
- Administrative and academic facilities;
- Headquarters and operations buildings;
- Supply warehouse facilities; and
- Dormitories.

New construction required at Holloman under the proposed action would be located either adjacent to existing facilities on the base or on parts of the base that are already developed. Funding for these proposed facilities comes entirely from the German government. The cost of this construction is estimated at approximately $100 million. An option under the proposed action includes constructing a new target complex at one of two potential locations on McGregor Range, south of Alamogordo.

Under this proposal, aircraft would begin arriving at the base in Fall 1999 (first quarter of fiscal year 2000) and will reach full operational capability in Spring 2000.

Before any decision is made as to whether additional aircraft, personnel, and support facilities will be added at the base, the U.S. Air Force must first complete the environmental impact statement to assess any potential environmental impacts that might occur as a result of this

action. A draft environmental impact statement is available for public review and comment. The environmental analysis studies a wide range of potential impacts, including the socioeconomic implications of increasing the area's population by approximately 1,500 people (i.e., potential increase in the need for utilities and community services). It also addresses the additional noise, dust, and vehicle emissions likely to result from the proposed construction projects.

For More Information

To read about other components of the proposal, including the proposed addition of a new air-to-ground tactical target complex and a proposed increase in airspace use, please refer to the fact sheets entitled ***Overview***, ***Participating in the Environmental Impact Analysis Process***, ***Airspace Requirements***, ***Air-to-Ground Training Options***, and ***Environmental Impacts***.

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CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

AIR-TO-GROUND TRAINING OPTIONS

The U.S. Air Force has prepared a draft environmental impact statement for the proposed Expansion of German Air Force Operations at Holloman Air Force Base. The Air Force is proposing to expand an existing Memorandum of Agreement with the Federal Republic of Germany in order to locate 30 additional German Tornado aircraft at Holloman Air Force Base (AFB), New Mexico. The proposed action includes German-financed support facilities on Holloman AFB, as well as three options to meet air-to-ground training requirements. The aircrews and support personnel would be part of a German Air Force Replacement Training Unit. The Replacement Training Unit is a school for Tornado aircrews.

The German Air Force serves as a coalition partner with the United States and other allies. Training and readiness are more important than ever before because of a changing international environment, a greater diversity of risks and threats, and smaller military budgets. This reality is reflected in the current National Military Strategy, which emphasizes international training and military exchanges. German Air Force Tornados in the United States play a major role in accomplishing this mission.

Air-to-Ground Target Complex Access Requirements

To achieve proficiency in effective delivery of air-to-ground munitions, training must include a variety of realistic targets, weapons, and munitions delivery scenarios. Most training objectives can be met with non-explosive training ordnance, however live ordnance would be dropped on the existing Red Rio live drop target.

Currently, the majority of tactical air-to-ground training conducted by U.S. and German Air Force units at Holloman AFB takes place on two existing target complexes in White Sands Missile Range, Red Rio and Oscura, while a small amount of training occurs at a single target impact area on McGregor Range, part of the Fort Bliss Military Reservation south of Alamogordo, New Mexico. White Sands Missile Range is operated by the U.S. Army primarily for research, development, and test of new weapon systems.

The U.S. Air Force must use the two White Sands Missile Range target complexes on a "non-interference" basis (that is, Air Force training cannot interfere with higher-priority test missions). The additional 30 aircraft would increase the demand for the Red Rio and Oscura target complexes above capacity, and their terrain features do not accommodate the Tornado's terrain-following radar training requirement. Increased target range usage is needed to meet Air Force training requirements.

Air-to-Ground Target Complex Requirements and Selection Criteria

For aircrews to maintain their proficiency and combat readiness, they must accomplish specific training activities on a tactical target complex with defined capabilities. To meet these requirements, a tactical target complex must include:

- A realistic layout of simulated tactical targets similar to those that might be encountered in actual combat, such as an airfield; an industrial complex; radar, missile, and gun sites; and artillery.
- Restricted airspace large enough to allow different approach patterns and angles of attack on the target.
- Only training ordnance would be used on the proposed target complex. No live ordnance would be used.

Based on these requirements, a number of criteria must be met before a location can qualify for consideration as a new tactical target complex. They include:

- Sufficient land to locate a realistic simulated tactical target array and fenced impact area (approximately 8 square miles);

- The ability to control public access in a safety buffer surrounding the target complex to ensure public safety;

- The ability to combine land, airspace, and target configurations to maximize variety in munitions types, delivery patterns, and axes of attack;

- Access from established Military Training Routes which permit low-altitude access to a tactical target complex so that aircrews may conduct low-altitude navigation training enroute to their targets;

- Minimal scheduling restrictions on the use of the target complex; and

- Location within a 180-nautical mile flight distance of Holloman AFB.

Three Air-to-Ground Training Options

In order to ensure that aircrews receive the training they need, the U.S. Air Force proposes three air-to-ground training options as part of the proposed expansion of German Air Force operations at Holloman AFB. Two of the options would involve construction of a new target complex.

The potential locations for a new target complex are two sites within the McGregor Range. McGregor Range provides the land, airspace, and availability needed for an effective training area. One location option is on west Otero Mesa, and the other is within the Tularosa Basin portion of the range.

A third option involves bringing the additional aircraft to Holloman AFB but *not* constructing a new target complex. Under this option, the additional Tornado air-to-ground training would be confined to existing air-to-ground target complexes, Red Rio and Oscura on White Sands Missile Range, and Melrose Range near Clovis, New Mexico.

Analysis of the proposed action, which includes selection of one of the three air-to-ground training options, is documented in the draft environmental impact statement. The analysis examines the potential effects of the proposal on the environment, including potential for increased soil erosion, loss of some animal habitat, increased noise, land use compatibility, and decreased public access to portions of McGregor Range resulting from additional aircraft operations.

The No-Action Alternative

The draft environmental impact statement also includes the "no-action" alternative, as required by the National Environmental Policy Act. This alternative would not bring the additional 30 German Air Force Tornados to Holloman AFB. U.S. and German Air Force training would continue at their current levels using existing aircraft, personnel, and facilities.

For More Information

If you would like additional information, please refer to the fact sheets entitled ***Overview***, ***Participating in the Environmental Impact Analysis Process***, ***Airspace Requirements***, ***Operations and Construction***, and ***Environmental Impacts***.

Should you have any questions about the environmental impact statement the Air Force is preparing, please contact Holloman Air Force Base Public Affairs Office, 49 FW/PA, 490 First Street #2800, Holloman Air Force Base, NM 88330-8287; phone (505) 475-5406.

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CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

PARTICIPATING IN THE ENVIRONMENTAL IMPACT ANALYSIS PROCESS

How to Have Input

The National Environmental Policy Act was enacted in 1969 to guide federal agencies toward informed decisions when considering major, new projects. Not only does the Act outline a process for analyzing environmental consequences, it also emphasizes public involvement early on and throughout the preparation of an environmental impact statement. The Act specifies a series of steps that federal agencies must follow when developing an environmental impact statement, one of which includes opportunities for public comment. Written or oral comments on the proposed action can be given in writing or at scheduled meetings and hearings.

One of the steps in the public involvement process is the distribution of a draft environmental impact statement for public review and a public comment period, with public hearings. Comments received during that period will be included in the final environmental impact statement, along with responses. A record of decision will be published after a minimum 30-day period following publication of the final environmental impact statement.

However your comment is received—in person or by mail—it is treated equally to all other comments. Here are some suggestions to increase the impact of your comments:

- *Focus on issues and actions addressed in the draft environmental impact statement.* The Air Force must follow National Environmental Policy Act guidelines and confine its analyses to the scope of the specific environmental impact statement. This document focuses on potential environmental consequences of additional personnel, facilities, equipment, airspace modifications, and aircraft at Holloman AFB. It does not, for example, examine the issue of the necessity of military training or the issue of foreign military presence in the United States.

- *Participate as much as possible in the environmental impact analysis process.* Air Force representatives are a resource to you—that is why they are at meetings and hearings and are prepared to make presentations and briefings during the public involvement process. Information on the proposed action can also be found in fact sheets and displays at public hearings to provide background to help in formulating comments.

- *Use available agency resources to get the information you need.* Information can be found in the *Federal Register*, a daily publication of announcements by federal agencies; in public and/or university libraries in Alamogordo, Albuquerque, Artesia, Carlsbad, Cloudcroft, Fort Sumner, Las Cruces, Portales, Ruidoso, Socorro, and Truth or Consequences, New Mexico, and in Alpine, El Paso, Fort Davis, Fort Stockton, Marfa, Pecos, Sierra Blanca, and Van Horn, Texas; and in local and regional newspapers.

The Proposal

The Air Force has prepared a draft environmental impact statement to document the analysis of the potential environmental effects of bringing an additional 30 German Tornado aircraft and associated personnel to Holloman Air Force Base (AFB), New Mexico, and constructing needed facilities there. German Air Force aircrews would conduct training flights in the airspace around the region, which supports training flights by existing German Aircrews at Holloman AFB.

Under the proposed action, in addition to constructing support facilities at Holloman AFB, the U.S. Air Force is also considering options to either construct a

new air-to-ground tactical target complex or increase use of existing ranges to support German Air Force training requirements.

Two training options involve construction of a new target complex on McGregor Range, located south of Alamogordo and part of the Fort Bliss Military Reservation. One location option is on western Otero Mesa, and the other is within the Tularosa Basin portion of the range. The third training option relies on use of existing ranges, Red Rio and Oscura on White Sands Missile Range, and the Melrose Range. The option selected would also affect use of other airspace in the region.

The "no-action" alternative has also been analyzed, as required by the National Environmental Policy Act. This alternative would not bring the additional 30 German Air Force Tornados to Holloman AFB. U.S. and German Air Force training would continue at their current levels using existing aircraft, personnel, and facilities, at existing ranges.

Your inputs are important in helping determine the analysis of the U.S. Air Force's proposal to expand the German Air Force's operations at Holloman AFB. Comments received during the public comment period and at the public hearings will be evaluated and additional analyses performed or changes made to the environmental impact statement as necessary.

Projected EIS Schedule

Here is the projected schedule for the analysis of the proposed Expansion of German Air Force Operations at Holloman Air Force Base environmental impact statement:

- Notice of Availability of the draft environmental impact statement: June 20, 1997
- Public Hearings: July 7–12, 1997
- Public comment period for draft environmental impact statement: June 20–August 4, 1997
- Final EIS: November 1997 (projected)
- Record of Decision: December 1997 (projected)

For More Information

If you would like more information about specific topics of consideration in the proposed Expansion of German Air Force Operations at Holloman Air Force Base environmental impact statement, please refer to the fact sheets entitled ***Overview***, ***Airspace Requirements***, ***Operations and Construction***, ***Air-to-Ground Training Options***, and ***Environmental Impacts***.

The Holloman AFB Public Affairs staff can also provide further information and schedules or place you on the environmental impact statement mailing list. They may be reached by calling (505) 475-5406 or by writing to 49 FW/PA, 490 First Street #2800, Holloman AFB. New Mexico 88330-8287.

The formal public comment period lasts until August 4, 1997. Please direct your comments to **Ms. Sheryl Parker, Air Combat Command Environmental Analysis Branch, 129 Andrews Street, Suite 102, HQ ACC/CEVA, Langley Air Force Base, Virginia 23665-2769**.

The U.S. Air Force needs your input. Thoughtful and clear input will help us fulfill the goals of the National Environmental Policy Act and ensure a meaningful, substantive environmental impact analysis process.

CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

ENVIRONMENTAL IMPACTS

The draft environmental impact statement for the U.S. Air Force's Proposed Expansion of German Air Force Operations at Holloman Air Force Base describes the potential consequences of relocating 30 additional German Air Force Tornado aircraft and associated personnel and support facilities to the Alamogordo, New Mexico, facility.

There are three main components of the proposal: construction at Holloman Air Force Base (AFB) and vicinity to support the additional aircraft, personnel, and programmatic needs; training in airspace throughout the region; and conducting air-to-ground training. Three options for providing air-to-ground training are being considered. The three options are:

- Construction of a new target complex on the west Otero Mesa portion of McGregor Range, part of the Fort Bliss Military Reservation south of Alamogordo;
- Construction of a new target complex on the Tularosa Basin portion of McGregor Range; or
- Increasing use of existing ranges, including Red Rio and Oscura, both located on the White Sands Missile Range in New Mexico, and the Melrose Range, located in east-central New Mexico.

The draft environmental impact statement also addresses potential impacts from changes in airspace use associated with the proposed action and each of the training options.

Environmental Impacts

Environmental impacts were evaluated against conditions as they are projected to be in the first quarter of fiscal year 2000, October 1999, which is the target date to begin implementation of the proposed action. These impacts were assessed in the following areas:

- **Airspace Use and Management.** Minor to no impacts on airspace from additional training sorties.
- **Noise.** The increase in aircraft operations would increase noise levels around Holloman AFB. About 47 acres in and around the base, an increase of 6 acres, would be exposed to day-night average sound levels of 65 decibels. Under either of the new target complex training options, sound levels under most affected airspace away from Holloman would remain essentially constant or increase by a few decibels. Under the existing range training option, sound levels under the affected airspace would increase negligibly at most locations but could increase by as much as 13 decibels in certain areas.
- **Land Use.** Overflights and associated noise would increase over portions of White Sands National Monument east of Holloman AFB. In some areas, particularly where airspace units overlap, increased aircraft activity would result in elevated noise levels at isolated residences and recreation areas. Construction of a new target complex on McGregor Range would result in a reduction in public access to some areas south of State Highway 506. Access to the highway itself would not be affected. The western Otero Mesa target complex option would result in a minor decrease in land available for grazing.
- **Biological Resources.** There would be no significant impact to biological resources from construction of facilities at Holloman AFB. Impacts would include disturbance of vegetation and habitat at existing ranges and temporary wildlife disturbance from noise under existing airspace. Increased aircraft flights would result in small increased potential disturbance to wildlife. Construction and use of the west Otero Mesa new target complex option would result in disturbance to about 1,040 acres. Biological resources would be disturbed in the entire 5,120-acre impact area under the Tularosa Basin new target complex option.
- **Air Quality.** Aircraft activity and construction would produce insignificant increases in emissions and have no impact on visibility. There would be temporary increases in air emissions during construction of facilities at Holloman and if a new tactical target complex were constructed.
- **Archeological, Cultural, and Historical Resources.** Negligible impacts would occur on Holloman AFB, as a result of changes in airspace, and at ranges. If a new target complex were constructed on west Otero Mesa, 17 sites eligible or

potentially eligible for placement on the National Register of Historic Places could be impacted by construction and use of that site. If a new target complex were constructed in the Tularosa Basin, 29 sites eligible or potentially eligible for the National Register could be affected.

- **Water Resources.** Construction of new facilities at Holloman could result in increased runoff, but impacts would be negligible. Increased use of existing ranges would result in slight but negligible impacts caused by runoff. Increased soil erosion and sediment transport could result from construction and operation of a new target complex at McGregor Range. If the west Otero Mesa option were selected, some water resource improvements, such as pipelines and water tanks, would be relocated.
- **Hazardous Materials and Waste Management.** The proposed action would result in negligible increases in hazardous materials used and wastes generated. Procedures are in place to ensure this does not result in significant impacts or risks to the environment.
- **Socioeconomic Impacts.** The Holloman AFB population would increase by 11 percent. Nearly 1,000 jobs would be created in Otero County. Additional housing, roads, a fire station, and other facilities are expected to be needed. The cost of construction of a new target complex on west Otero Mesa is estimated at $4 million and in Tularosa Basin at $20 million. The difference is primarily due to existing unexploded ordnance at the Tularosa Basin site, which would have to be removed prior to construction.
- **Transportation.** Transportation impacts resulting from the proposed action would occur in the city of Alamogordo. There would be an increase in traffic, increasing congestion on the main road through the city.
- **Utilities.** Utility use is expected to increase in Alamogordo and at Holloman AFB. A stock watering tank on the west Otero Mesa site would be relocated if that option is selected for a new target complex.
- **Soils.** Thirty-six acres at Holloman AFB would be affected by construction. Construction of a new target complex under the west Otero Mesa option would heavily impact about 1,000 acres, while over 5,000 acres would be heavily impacted under the Tularosa Basin option. This disturbance would result in increased erosion and sedimentation.
- **Safety.** Safety impacts resulting from facilities construction at Holloman AFB would be negligible. The increased risk of aircraft mishap and bird-aircraft strike hazard would also be minor. There would be some increase in potential for fire if either of the new target complex options were implemented.
- **Cumulative Impacts.** The effects of this proposed action, along with other actions which have been recently implemented, such as the 12 Tornados that were brought to Holloman AFB last year, or which will be implemented in the reasonably foreseeable future, such as the change from F-111 to F-16 aircraft at Cannon AFB, are addressed in the cumulative impact analysis in the draft environmental impact statement. A comparison was made between conditions as they prevailed for 1995 and conditions projected for fiscal year 2000 under the proposed action. For most resources, no significant cumulative impacts would be expected following expansion of German Air Force operations at Holloman.

For More Information

If you would like additional information, please refer to the fact sheets entitled ***Overview***, ***Airspace Requirements***, ***Partici pating in the Environmental Impact Analysis Process***, ***Operations and Construction***, and ***Air-to-Ground Training Options***.

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CONTINUING THE PARTNERSHIP

Proposed Expansion of German Air Force Operations
at Holloman Air Force Base, New Mexico
Draft Environmental Impact Statement Document Locations

A Draft Environmental Impact Statement for the Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico, is available for public review and comment. Copies are readily available for review at public and university libraries. Here is a listing of where you can find it. For additional information on document locations, please contact Holloman Air Force Base Public Affairs Office, 49 FW/PA, 490 First Street #2800, Holloman Air Force Base, NM 88330-8287; phone (505)475-5406. The review and comment period ends August 4, 1997. Please forward any comments to Ms. Sheryl K. Parker, HQ ACC/CEVA, 129 Andrews Street, Suite 102, Langley Air Force Base, VA 23665-2769.

NEW MEXICO

Alamogordo
Alamogordo Public Library
920 Oregon Avenue

New Mexico State University–Alamogordo Library
2400 N. Scenic Drive

Albuquerque
University of New Mexico
General Library

Artesia
Artesia Public Library
306 West Richardson Avenue

Carlsbad
Carlsbad Municipal Library
101 S. Halagueno Street

Cloudcroft
Cloudcroft Library
20 Curlew Place

Fort Sumner
Fort Sumner Public Library
509 N. 7th Street

Las Cruces
Doña Ana Branch Community College Library
3400 South Espina

Branigan Memorial Library
200 E. Picacho Avenue

Portales
Eastern New Mexico University Library
1200 West University

Ruidoso
Ruidoso Public Library
501 Junction Road (at Sudderth Drive)

Socorro
New Mexico Institute of Mining & Technology
Library
801 Leroy Place

Truth or Consequences
Truth or Consequences Public Library
325 Library Lane

TEXAS

Alpine
Alpine Public Library
203 N. 7th Street

Dell City
Grace Grebing Public Library
110 N. Main Street

El Paso
El Paso Public Library
510 N. Oregon Street

University of Texas—El Paso Library
500 West University Avenue

Fort Davis
Jeff Davis County Library
Court and Main Streets

Fort Stockton
Fort Stockton Public Library
500 N. Water Street

Marfa
Marfa City Municipal Library
115 E. Oak

Pecos
Reeves County Library
505 S. Park Street (at Fifth Street)

Sierra Blanca
Sierra Blanca Public Library
Sierra Blanca High School

Van Horn
Van Horn Library
410 Crockett Street

6. Sign-In Sheet

Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

SIGN IN SHEET

PUBLIC HEARINGS **DATE** _____

PLEASE PRINT

Name	***Mailing Address (Street Address/City)***	***State/Zip***

PLEASE PRINT

7. Written Comment Sheet

WRITTEN COMMENT SHEET

EXPANSION OF GERMAN AIR FORCE OPERATIONS AT HOLLOMAN AIR FORCE BASE, NEW MEXICO

Thank you for your input. **DATE:** _____

PLEASE PRINT

****** CONTINUE ON BACK FOR MORE SPACE ******

NAME: _____

ADDRESS: _____

CITY: _____

STATE/ZIP CODE: _____

Please check if you would like to receive a copy of the Environmental Impact Statement. [ ]

Please Hand This Form In or Mail To:

AIR COMBAT COMMAND ENVIRONMENTAL ANALYSIS BRANCH
HQ ACC/CEVA
ATTN: MS. SHERYL PARKER
LANGLEY AIR FORCE BASE, VA 23665-2769

8. Registration Card

PUBLIC HEARING ATTENDANCE RECORD

DATE __/__/__

PLEASE PRINT NAME _____

MAILING ADDRESS _____

STREET, P.O. BOX, OR ROUTE & BOX

_____

CITY, STATE, ZIP CODE

NAME OF OFFICIAL, ORGANIZATION, FIRM, OR GROUP YOU REPRESENT (if applicable) _____

☐ **CHECK IF YOU WANT TO SPEAK**

☐ **CHECK IF YOU WANT A COPY OF THE FINAL EIS**

ATTENDANCE RECORD BACK

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 U.S.C. 552A)

1. Authority: 42 U.S.C. 4321–4370a.
2. Principal Purpose: Information is used to compile a list of hearing attendees for the administrative record.
3. Routine Uses
   a. The card is used to signify an individual's desire to make a statement during the public comment portion of the hearing.
   b. Names of individuals and their comments during the public hearing may be published in project reports.
   c. Information may be used to complete mailing lists for other projects in which the individual may have an interest.
4. Effect of individual not providing information voluntarily—Failure to provide the information requested may delay or prevent the individual's speaking at the public hearing.

APPENDIX B

PUBLIC HEARING DISPLAY MATERIALS

APPENDIX B

PUBLIC HEARING DISPLAY MATERIALS

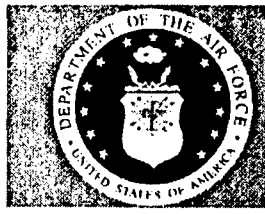
1. Slides

2. Copies of Display Boards

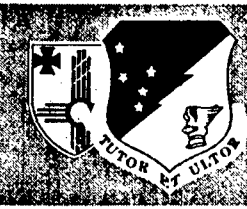


Proposed Expansion of German Air Force Operations at Holloman Air Force Base, New Mexico

Draft Environmental Impact Statement Public Hearings July 7–12, 1997



CONTINUING THE PARTNERSHIP



Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Hearing Schedule

6:00 p.m. - 6:20 p.m.:	Registration and Informal Discussions
6:20 p.m. - 7:05 p.m.:	U.S. Air Force Presentations on Draft EIS
7:05 p.m. - 7:15 p.m.:	Break–View Exhibits; Informal Discussions with Air Force Representatives
7:15 p.m. - 10:00 p.m.:	Public Comment Period

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Presenting Hearing Comments

- Complete registration card
- When called upon, use the microphone
  - State name, address, organization
  - Comments limited to 5 minutes
- Meeting documented by court reporter
- Additional comments may be made in writing
  - Mailing address on fact sheets and written comment forms
- Comments may be made directly to court reporter following general comment session
  - Complete registration card
  - Observe time limit

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impact Analysis Process

- NEPA enacted in 1969
- Basic requirement: analysis must precede action
- Analysis serves as "a clear basis of choice"
- "Ultimately…better decisions…**excellent action**"
- The process leads to a *decision*
- This is not a "done deal"
- Key public role: <u>comments relevant to the analysis</u>

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

EIS Schedule

• May 8, 1996	NOI–Federal Register
• August 1996	Public Scoping Meetings
• June 13, 1997	Draft EIS published
• June 20, 1997	NOA–Federal Register; begin comment period
• July 7-12, 1997	Public Hearings
• August 4, 1997	Comment period complete
• August 5, 1997	Begin incorporating inputs/ comments/final analysis
• November 4, 1997	Publish Final EIS (projected); 30 day waiting period
• December 8, 1997	Sign Record of Decision (projected)

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Purpose for Proposed Action

- We can better protect our interests by training with our allies
- U.S./German military partnership under NATO for over 40 years
- German Air Force training at Holloman Air Force Base since 1992
- U.S. policy since end of Cold War emphasizes international training and military exchanges
- U.S. Air Force proposing to increase scope of German Air Force training at Holloman Air Force Base

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Why We Need to Train

- National security issues have become more complex
- NATO forces face diverse types of threats and risks
  - Surface-to-air missiles
  - Anti-aircraft artillery
  - Varying terrain and weather conditions
- Aircrews must train the way they intend to fight
  - Low-altitude navigation on Military Training Routes
  - Air-to-air combat tactics in Military Operations Areas and restricted areas
  - Air-to-ground training on simulated tactical targets in restricted airspace
- Training opportunities in U.S. help increase military proficiency of allies fighting along side U.S. forces

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Our Other Missions

- Being a good neighbor: Public Affairs (505) 475-5406
- Stewards of environmental resources
  - Monitoring resources
  - Natural and cultural resources management
  - Interagency cooperation and communication
  - Holloman Air Force Base recognized at local and national levels for environmental management

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Components of the Proposed Action

- German Air Force expansion at Holloman Air Force Base would establish German Air Force Replacement Training Unit, a school for Tornado aircrews
  - "Beddown" of 30 additional Tornado aircraft
  - Approximately 640 additional personnel (about 1,500 including family members)
  - $100 million in construction (paid for by German Air Force)
  - Estimated 4,300 takeoffs/landings at Holloman
- Training in local airspace
  - About 2,800 annual sorties on Military Training Routes
  - About 3,200 annual air-to-air sorties in Military Operations Areas and restricted airspace
  - About 2,600 annual air-to-ground sorties in restricted airspace

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Training Options Considered Under Proposed Action

- New target complex constructed on west Otero Mesa portion of McGregor Range
- New target complex constructed in Tularosa Basin portion of McGregor Range
- Increase use of existing ranges
  - Red Rio on White Sands Missile Range, New Mexico
  - Oscura on White Sands Missile Range, New Mexico
  - Melrose Range, near Clovis, New Mexico
- Training option selected would affect airspace utilization

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

The No-Action Alternative

- Anaylsis provides a basis for comparison among the options
- Based on conditions projected in FY2000 (Fall of 1999)
- Includes ongoing changes between 1995 and 1999
  - 12 Tornados brought to Holloman AFB in 1996
  - Deactivation of AT-38 squadron at Holloman AFB in 1997
  - Change from F-111 to F-16 aircraft at Cannon AFB
- Potential environmental consequences of not locating 30 additional Tornados, personnel, equipment, and associated construction

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Draft Environmental Impact Statement

- Analyzes proposed action, training options, and no-action alternative
- Examines impacts at Holloman AFB, in airspace areas, and at ranges
- Describes existing environmental conditions in 1995
- Proposed action compared to projected baseline environmental conditions
- Includes cumulative impacts from Tornado beddown in combination with other actions affecting installations and regional airspaces and ranges analyzed

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts

- Airspace Use and Management
  - Minor to no effects from additional training sorties
- Noise
  - Increase in and around Holloman AFB
  - If one of the new target complex options selected, changes in average day-night sound levels minor in most existing airspace areas and ranges
  - Sound levels at some locations would increase noticeably under the existing range training option
- Land Use
  - Increased noise over portions of White Sands National Monument
  - Changes in sound levels in most locations would not significantly impact land use, but could be annoying
  - Access to portions of Otero Mesa reduced if new target complex built; slight decrease in grazing land with west Otero Mesa option
  - No impact on access to State Highway 506

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts

- Air Quality
  - Temporary increase in emissions during construction
  - Increase in aircraft emissions
  - No impact on attainment of National and State Ambient Air Quality Standards
- Biological Resources
  - No significant impacts in and around Holloman AFB
  - Temporary noise disturbances to wildlife underlying airspace areas
  - Loss of some vegetation and habitat if new target complex built
  - Increase in vegetation and habitat disturbance at existing ranges
- Archaeological, Cultural, and Historical Resources
  - Negligible impacts at Holloman and existing ranges
  - Potential impacts if new target complex constructed

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts

- Water Resources
  - Negligible impacts caused by increased runoff during facilities construction and at existing ranges
  - Water line under west Otero Mesa option would require relocation
- Hazardous Materials and Waste Management
  - Negligible increases in hazardous materials used and waste generated
- Socioeconomics
  - Increase in Otero County employment and population
  - Cost of new target complex construction on west Otero Mesa–$4 million
  - Cost of new target complex construction in Tularosa Basin–$20 million
    - unexploded ordnance removal required prior to construction
- Transportation
  - Increased traffic congestion along City of Alamogordo main thoroughfare

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts

- Utilities
  - Increase in use at Holloman AFB and Alamogordo
  - Stock watering tank relocation under west Otero Mesa option
- Soils
  - 36 acres at Holloman disturbed
  - Increased vegetation loss and erosion at Red Rio Live Drop Target
  - New target complex construction
    - West Otero Mesa option disturbance: approximately 1,000 acres
    - Tularosa Basin option disturbance: approximately 5,100 acres
- Safety
  - Negligible impacts from construction at Holloman AFB
  - Slight increase in aircraft mishap and bird-strike risk
  - Increase in potential for fire at new target complex

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts

- Cumulative Impacts
  - -- Most resources would not have significant cumulative effects
  - – Some impacts result from increases in aircraft-associated noise, potentially affecting land use and biological resources
  - – Minor cumulative habitat loss potential
  - – Cumulative employment and economic effects in Alamogordo

Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Environmental Impacts Summary

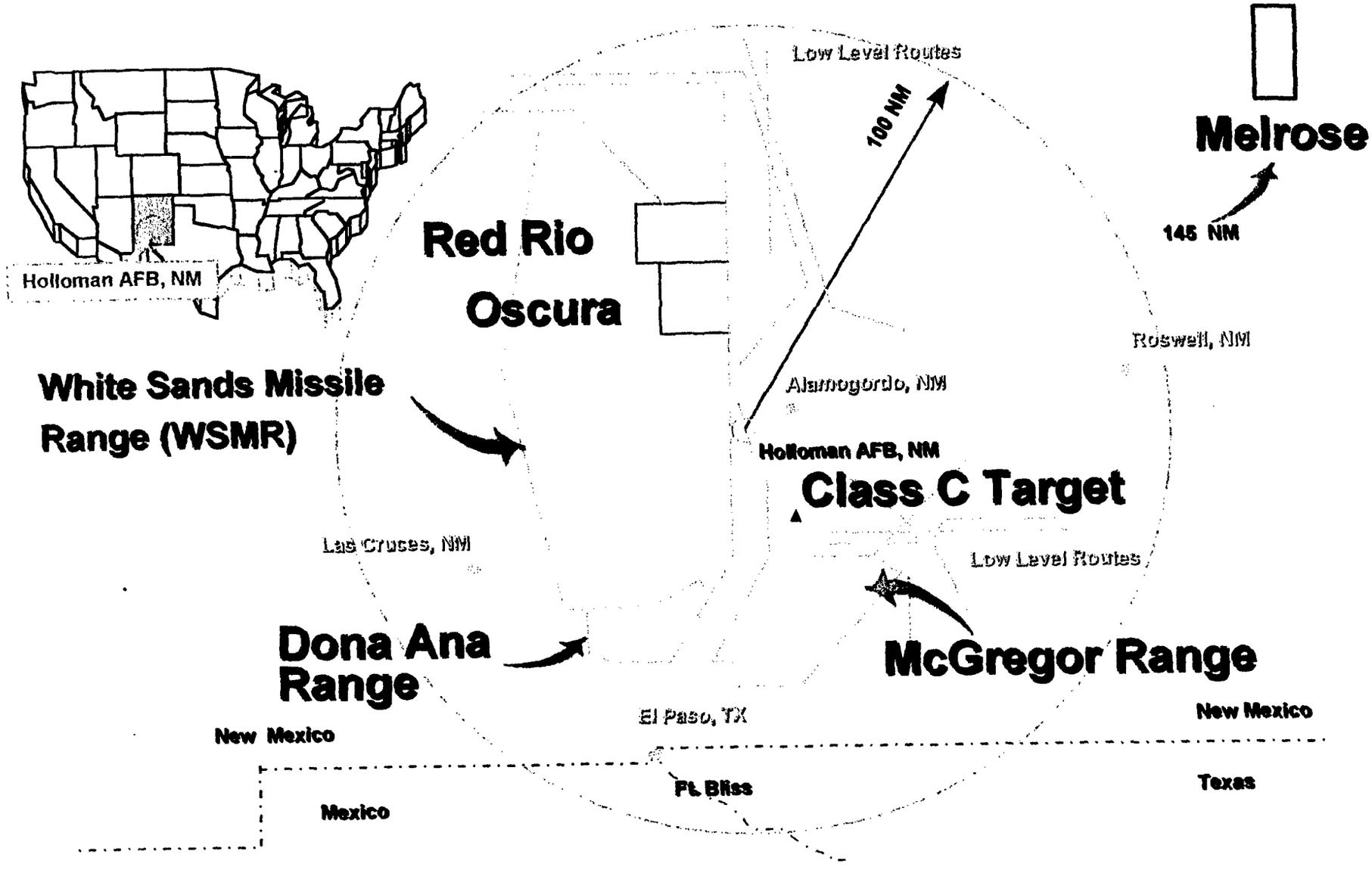
- Most affected locations would receive negligible environmental impact
  - Alamogordo: increases in population, traffic, employment, and aircraft operations
  - Carrizozo: increase in nearby flights
  - West of Truth or Consequences: potential disturbance to threatened and endangered species
  - Fort Sumner: increase in nearby flights
  - Dell City: increase in nearby flights
  - West Texas Area: increase in nearby flights

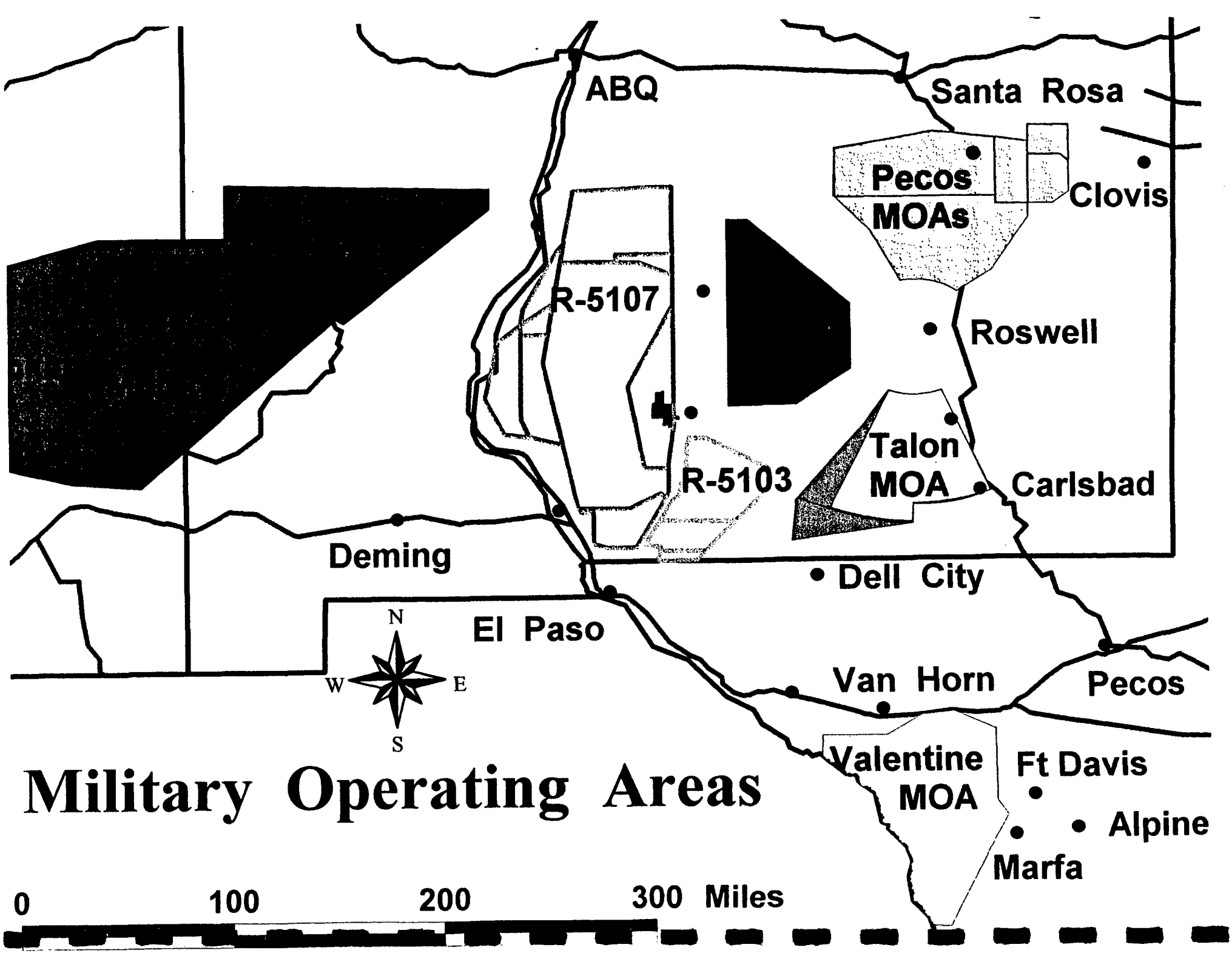
Proposed Expansion of German Air Force Operations
Holloman Air Force Base, New Mexico

Presenting Hearing Comments

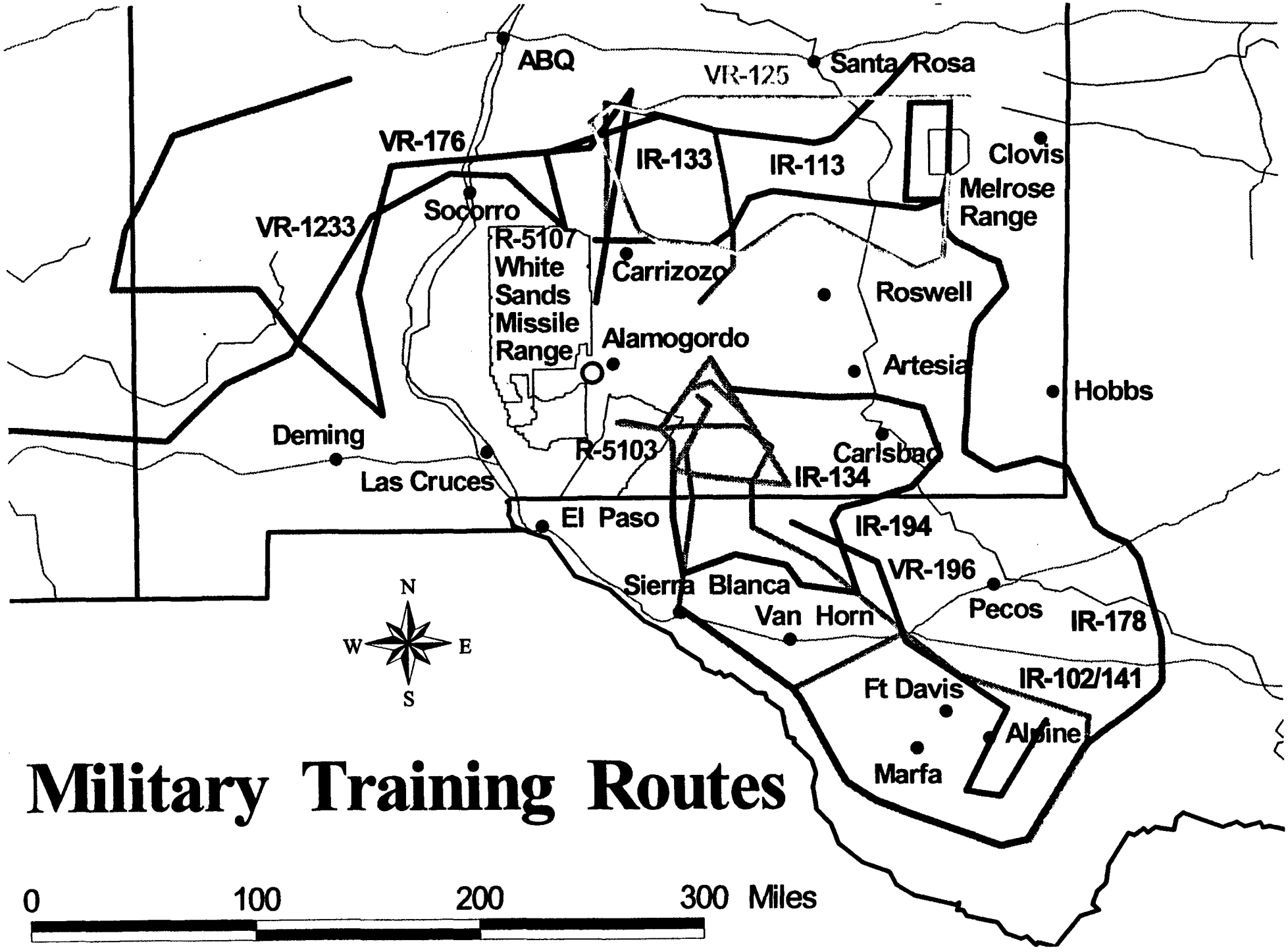
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HOLLOMAN'S LOCAL A/G TRAINING SPACE





Military Operating Areas



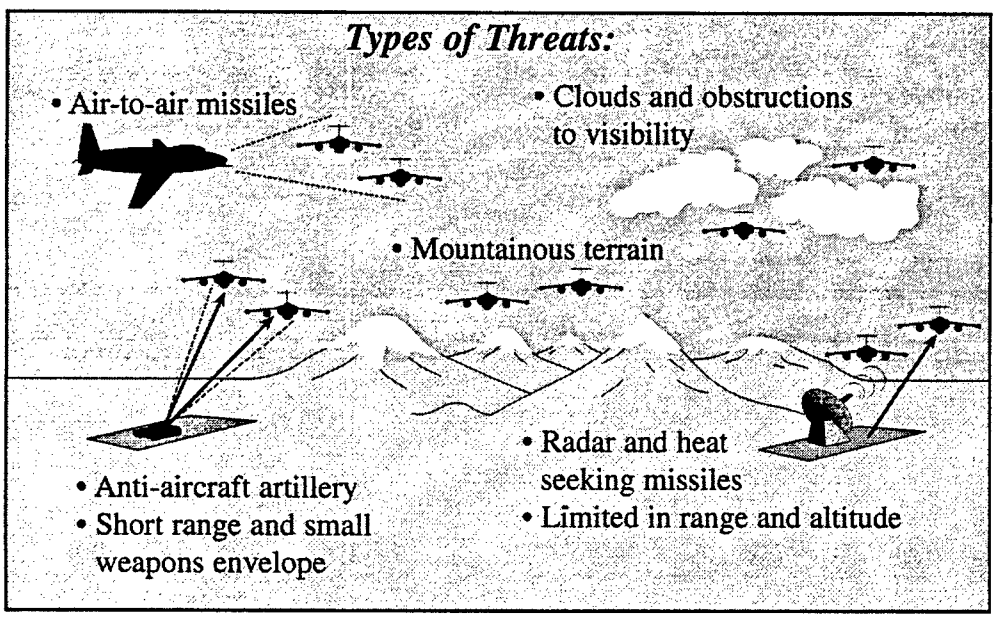
Military Training Routes

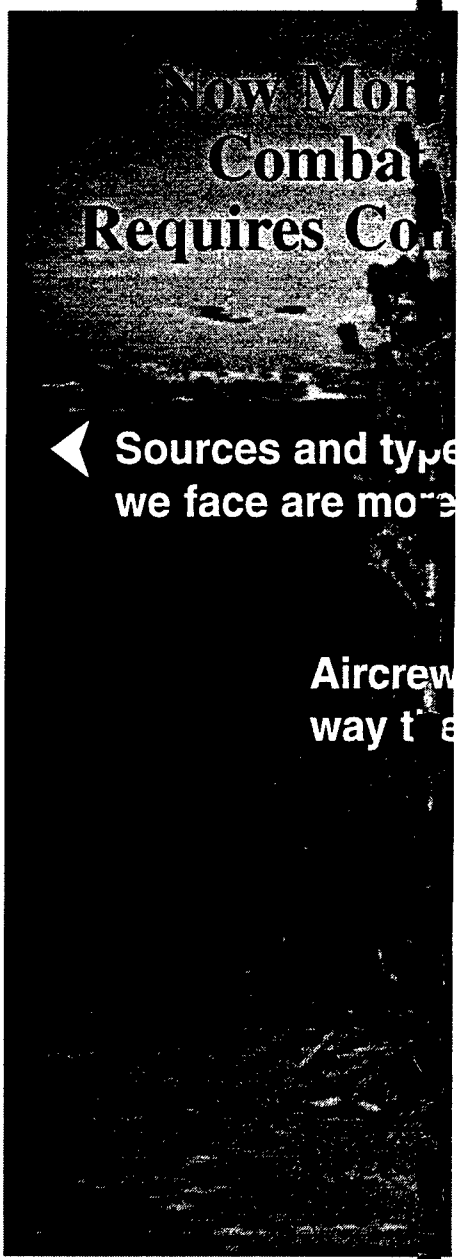
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What We Face

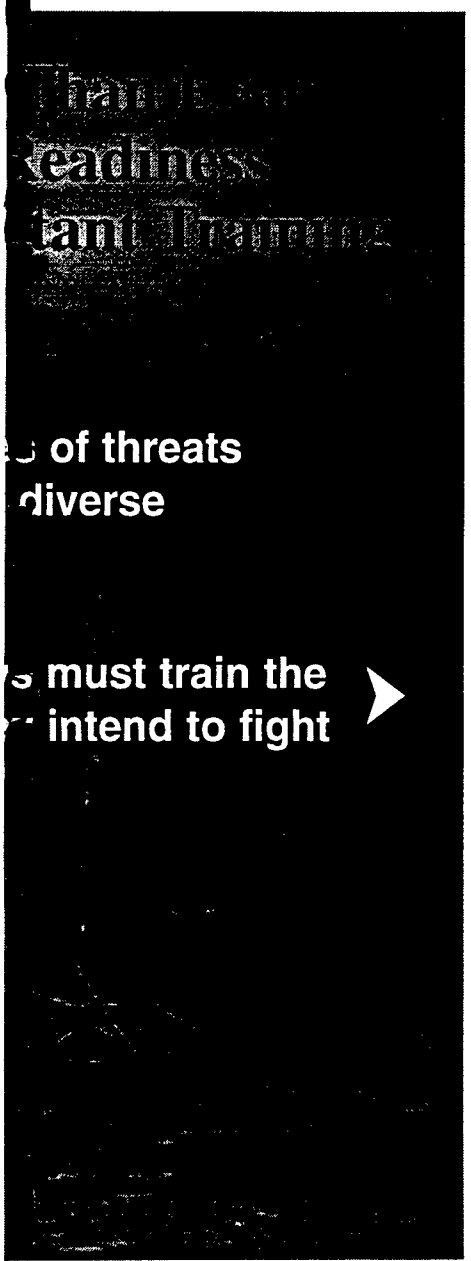
The end of the Cold War is not a guarantee of world security.

- The increased risk of different types of conflicts could involve:
  - Advanced ground-based air defense systems (surface-to-air missiles, anti-aircraft artillery)
  - Interception by hostile aircraft
  - Enemy weapons (artillery, missiles, etc.) that threaten our surface forces
  - Broad spectrum of geographic and weather conditions
- The most dangerous threat is the one that cannot be predicted; that is why we must be ready





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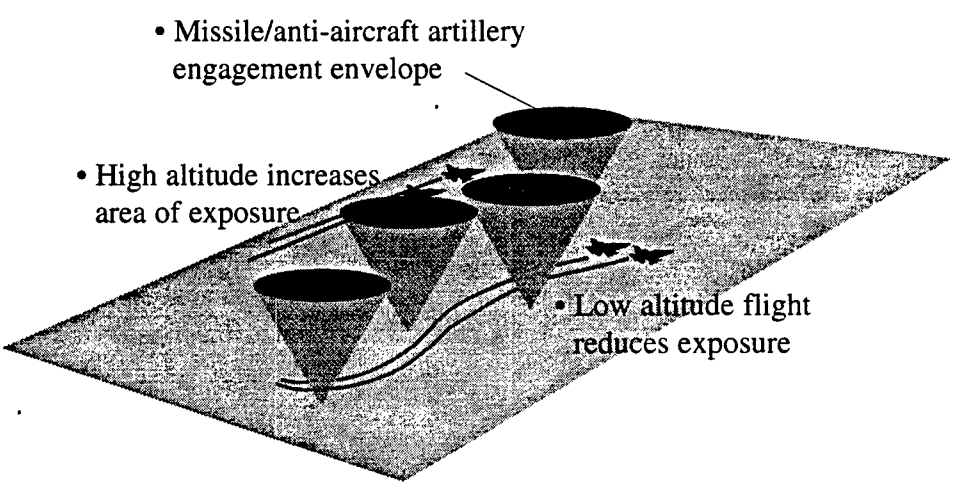


How We Prepare

Responding to increased and diversified risks demands a high degree of proficiency. Increasingly sophisticated weapons require equally sophisticated training

- Low altitude flight to:
  - Reduce exposure to air defense systems
  - Increase potential for surprise; improve probability of target destruction
  - Ensure navigational proficiency
- Air-to-air combat to ensure air superiority and increase survivability
- Delivery of air-to-ground munitions using:
  - A variety of targets and weapons
  - Different angles of approach
  - Maneuvers to avoid threats

High Altitude vs. Low Altitude:



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A 40-Year Heritage in U.S.-German Defense Partnership

1950s



- Germans host U.S. military forces in their home country demonstrating commitment to strong NATO role
- U.S. hosts German Air Force pilots ensuring allied aircrews were trained to same high standards as U.S. pilots

1960s



New German Air Force pilots trained at Sheppard AFB:

- Euro-NATO joint jet training gives undergraduate pilot training to U.S. allies
- Allied pilots received flying training to U.S. standards

1957-1983



Transition training for German Air Force at Luke AFB:

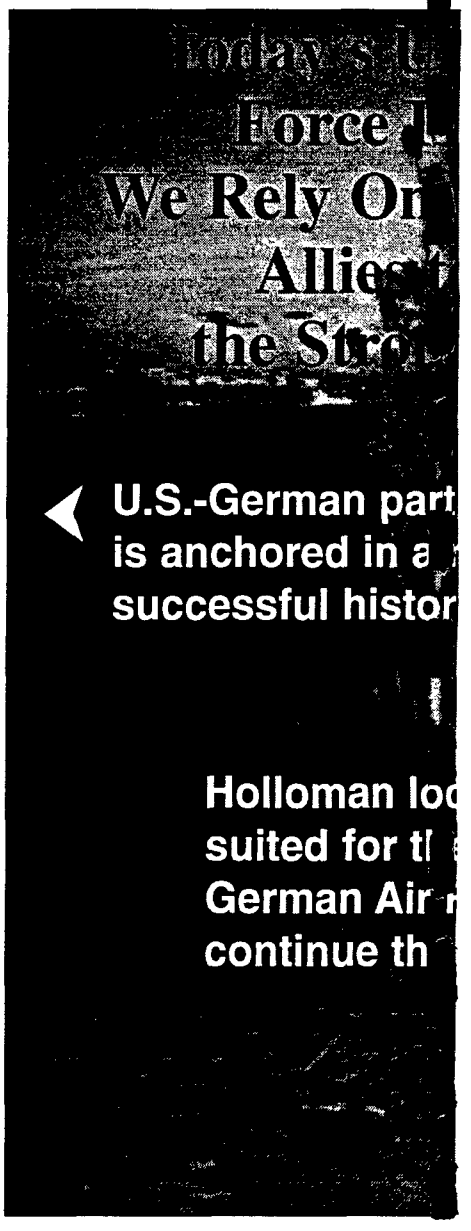
- F-84s: 1957-1963
- F-104s: 1964-1983

1972-1996



German Air Force training at George and Holloman AFB:

- Graduate and transition F-4 fighter training at George AFB in 1972
- Base Realignment and Closure Commission closed George AFB in 1992
- German Air Force F-4 training has operated out of Holloman AFB since 199
- Tornado training began at Holloman AFB, May 1996



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The Holloman Advantage

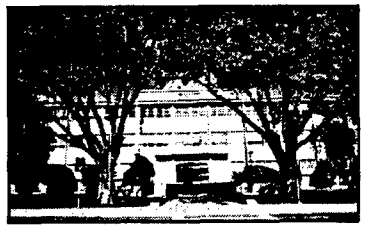
- Available base land and supporting infrastructure able to accommodate German Air Force units
- Existing active duty base with full airfield capabilities



- Good year-round training weather over varying terrain
- Variety of potential restricted airspace, Military Operations Areas, and Military Training Routes within training distance of base



- Located close to German Air Force Command-USA/Canada Headquarters Center at Fort Bliss, El Paso, Texas



- Holloman AFB currently supports German training in Tornado and F-4 aircraft



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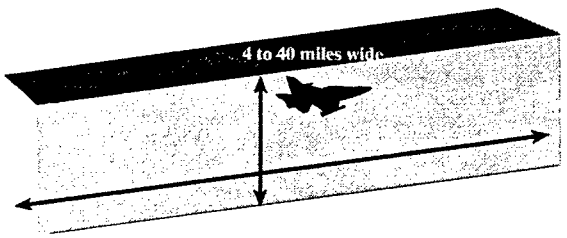
Holloman Air Force Base



- 30 additional Tornado aircraft flying about 4,300 sorties per year
- Approximately 640 additional German military personnel, plus families
- Over $100 Million in facilities construction paid for by the German Air Force

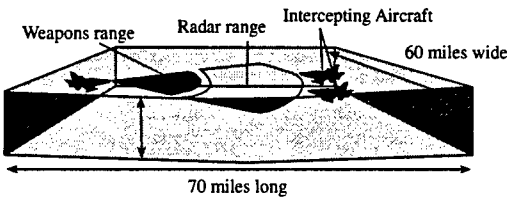


Airspace



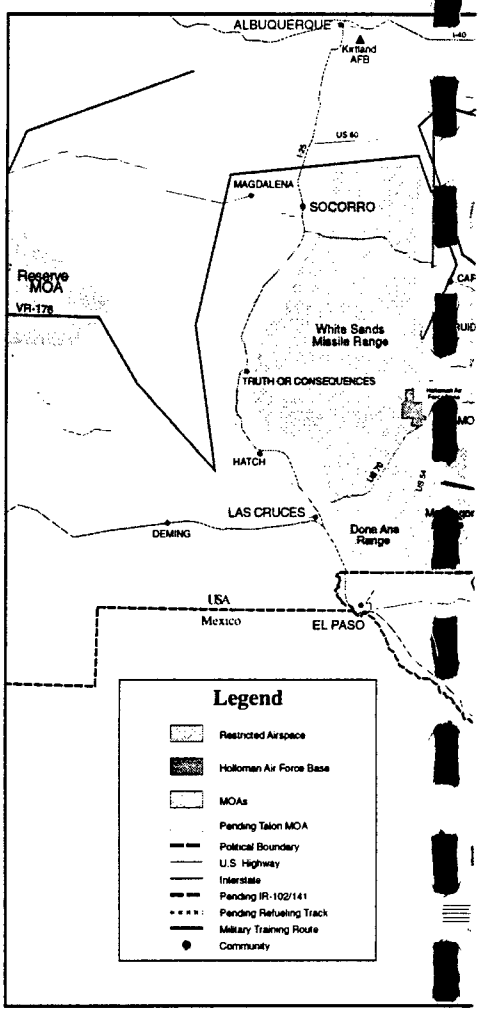
- About 2,800 additional Tornado sorties in Military Training Routes (MTRs)

- About 3,200 additional Tornado sorties in Military Operations Areas (MOAs) and restricted airspace



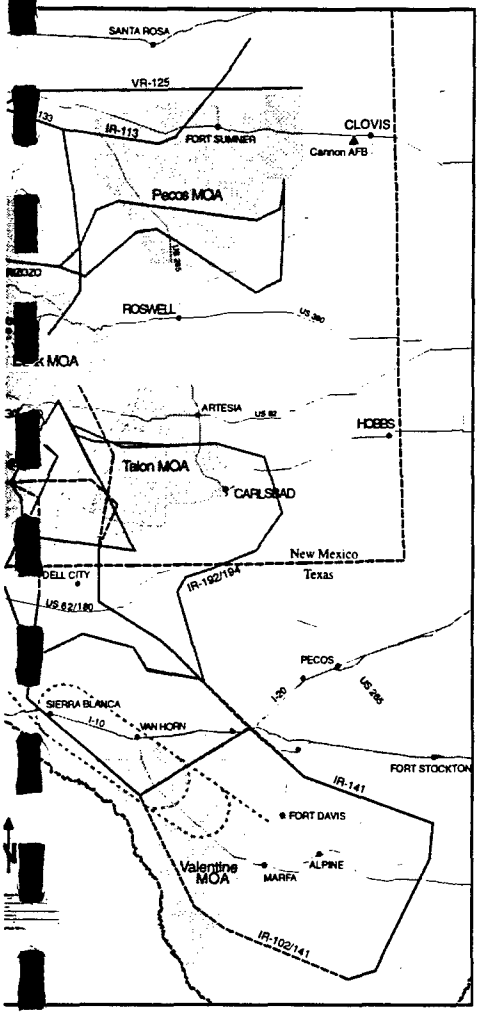
- About 2,600 additional Tornado air-to-ground sorties in restricted airspace

Holloman Air For
Sands Missile
Restricted Airs



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ce Base and White nge with MOAs, pace and MTRs



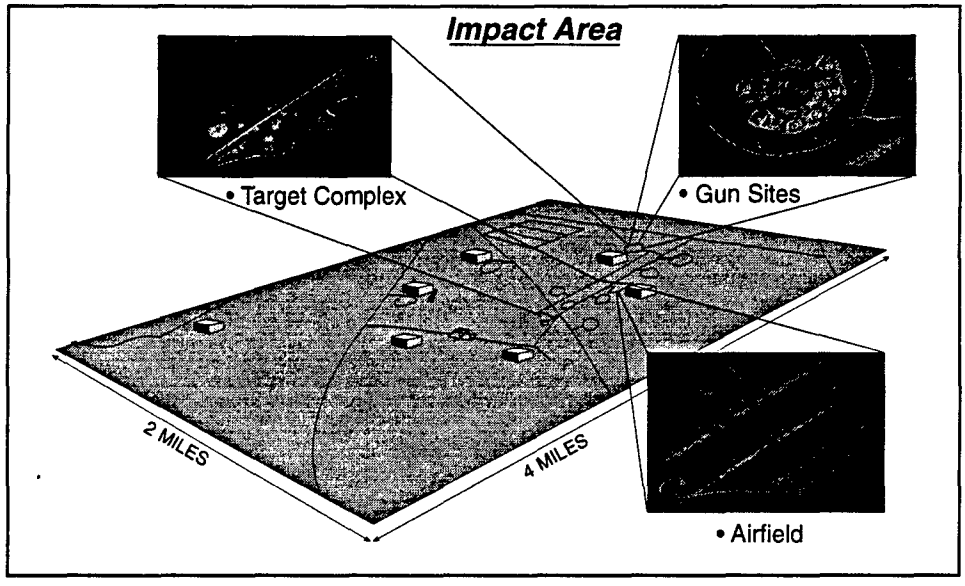
Air-to-Ground Training Options

The Air Force is examining several options to meet training requirements that are part of the proposed action:

- New target complex on West Otero Mesa within McGregor Range
- New target complex in Tularosa Basin within McGregor Range
- Use of existing ranges:
  - Red Rio, within White Sands Missile Range
  - Oscura, within White Sands Missile Range
  - Melrose Range

Tactical Target Complex

- Fenced 2x4 mile impact area
- A target array consisting of simulated:
  - Battlefield formation of tanks, artillery, and convoys
  - Vehicle maintenance and fuel storage areas
  - Surface-to-Air missile and gun sites
  - Industrial complex
  - Bridges and tunnels
  - Radar sites
  - Simulated airfield
- 27,000 foot safety buffer around impact area
- Inert or practice munitions only
  - No live ordnance
- Restricted airspace that allows a variety of weapons deliveries
- Access for regular range maintenance and annual clean-up



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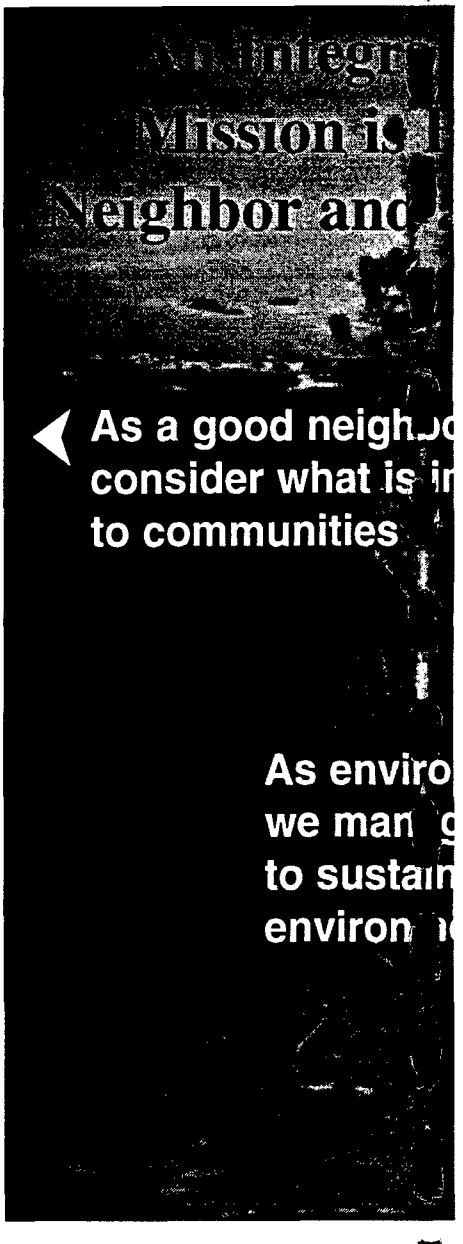
Ways We Consider Community Concerns

- Community inputs often lead to defined "avoidance areas"
  - Increased flying altitude over, and distance from, specific areas such as airports, population centers, highly sensitive areas
- Mission planning and crew briefings highlight defined areas to be avoided
- The Air Force at Holloman AFB responds to community concerns. The address and phone number of the Public Affairs Office are:

490 First Street, #2800
Holloman AFB, NM 88330-8287
(505) 475-5406

- We work with the Federal Aviation Administration (FAA) to reduce potential impacts to civil aviation:
  - Advance notice of airspace use via FAA Notice to Airmen system
  - Release special-use airspace when not needed
- Good neighbors depend on good communication. The environmental impact analysis process provides the framework for good communication
  - Public comment period on the Draft Environmental Impact Statement for the Proposed Expansion of German Air Force Operations at Holloman Air Force Base runs through August 4, 1997. Final documents will be completed and available in Fall 1997





IE PARTNERSHIP



Ways We Manage Resources

- We constantly monitor the condition of natural resources to preclude degradation of resources
- Our natural and cultural resources management programs protect and enhance resources through habitat improvements, wildlife programs, wetlands creation and restricted access to sensitive sites
- We incorporate compatible shared uses such as recreation
- We work closely with federal and state agencies on mutual interests:
  - Bureau of Land Management
  - U.S. Forest Service
  - U.S. Fish and Wildlife Service
  - State Historic Preservation Office
  - New Mexico Game & Fish Dept.
- Holloman AFB has been recognized at local and national levels for outstanding environmental management

"Environmental stewardship is important and can be accomplished hand-in-hand with the military mission."
(*Sherry Goodman, Deputy Under Secretary of Defense for Environmental Security*)





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The Proposed Action Has Three Main Components to Support Training Requirements

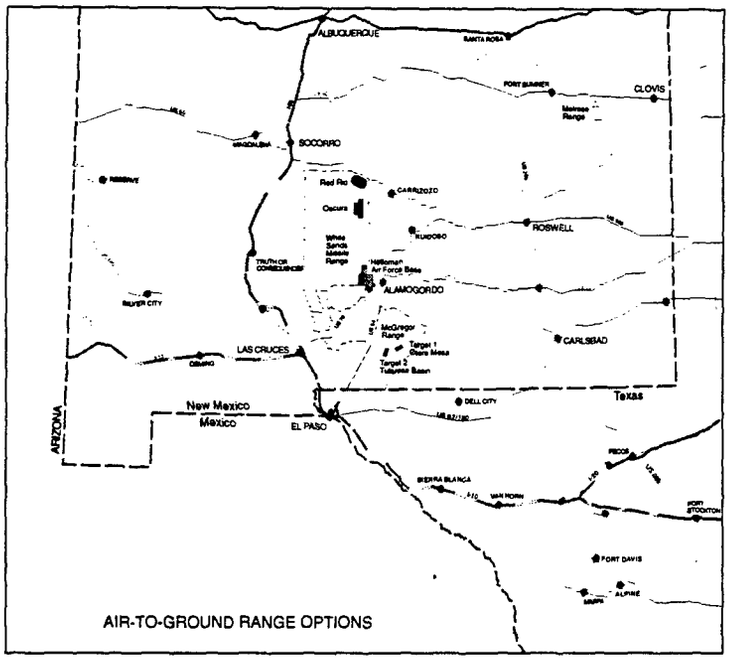
Construction at Holloman AFB to support the additional aircraft, personnel, and programmatic needs

Use of airspace in the region for aircraft training

Three options for providing air-to-ground training are being considered

- West Otero Mesa new target complex option
- Tularosa Basin new target complex option
- Existing ranges option

A No Action alternative was also analyzed



AIR-TO-GROUND RANGE OPTIONS

We An

Airspace Use and Manageme action would not significantly af c airspace.

Noise - Aircraft-related noise w l Holloman AFB and in existing milit *locations would experience noti* under some training options.

Land Use - Aircraft-related nois of White Sands National Monum *ation areas in the region. A new t* would affect public access to so

Air Quality - Construction activitie increase in air emissions. Addi r increase in air emissions. The inc ance with air quality standards.

Biological Resources - Wildlife u exposed to increased overflight complex would result in minor l s

Archaeological, Cultural, Hist i new target complex could affe McGregor Range.

Water Resources - Constructio would result in minor increases in

E PARTNERSHIP

zed Thirteen Resource Areas for Potential Environmental Impacts

- Implementation of the proposed
se or management of regional

increase slightly around
ary use airspace. A few
ble increases in overflights

would increase over portions
and some rural and recre-
arget complex at McGregor Range
reas of the range.

s would generate a temporary
aircraft would result in
ase would not affect compli-

er airspace areas could be
Construction of a new target
vegetation and habitat.

cal Resources - Construction of a
aeological resources at

air-to-ground training
stormwater runoff.

Hazardous Materials and Waste Management - Use of hazardous materials would increase and additional wastes would be generated. Management procedures are in place to ensure no adverse impacts.

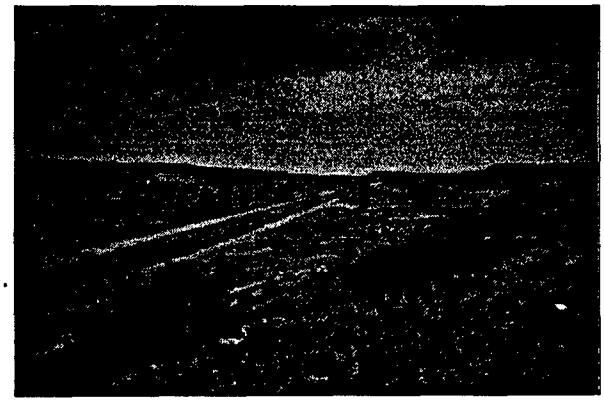
Socioeconomics - Population and employment would increase in Otero County.

Transportation - Increased traffic would result in congestion on some streets in Alamogordo.

Utilities - Increased demand for water, wastewater treatment, solid waste disposal, electricity, and natural gas would be within available capacity.

Soils - Construction and increased use of air-to-ground ranges would result in increased erosion and sedimentation.

Safety - Additional aircraft operations would marginally increase the risk of mishaps and bird-aircraft collisions. Fire risk would increase if a new target complex were established.



The Simulated Runway on the Red Rio Target Complex on White Sands Missile Range.