

**DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION**

ADOPTION OF ENVIRONMENTAL IMPACT STATEMENT

AND

RECORD OF DECISION

**FOR THE UNITED STATES AIR FORCE SPECIAL USE AIRSPACE OPTIMIZATION
TO SUPPORT EXISTING AIRCRAFT AT HOLLOMAN AIR FORCE BASE**

June 2021

INTRODUCTION

The United States Air Force (USAF) prepared the Final Environmental Impact Statement (EIS) for *Special Use Airspace Optimization to Support Existing Aircraft at Holloman Air Force Base, New Mexico*, to evaluate the potential environmental impacts associated with proposed changes to Special Use Airspace (SUA) used by Holloman Air Force Base to meet the USAF F-16 pilot training needs by providing a larger block of airspace, and improving airspace availability and scheduling flexibility. The Final EIS carried forward the three alternatives which met its selection standards for detailed analysis, including the Proposed Action which consists of changes to the Talon Military Operations Area (MOA)/Air Traffic Control Assigned Airspace (ATCAA) complex, including modification of and establishment of MOAs and ATCAAs.

As the lead agency, the USAF prepared the Final EIS in accordance with the National Environmental Policy Act (NEPA). The USAF invited the Federal Aviation Administration (FAA) to participate as a cooperating agency based on FAA's jurisdiction by law over approvals to the changes to special use airspace. As a cooperating agency, the FAA coordinated closely with the USAF, and actively participated in the preparation of the Final EIS.

The Draft EIS was provided for public review from November 1, 2019 to January 31, 2020, and approximately 17,000 comments were received. The potential environmental impacts of the alternatives carried forward are fully analyzed in the Final EIS. A summary of the public involvement and agency coordination is contained in the Final EIS. The USAF issued a Record of Decision on March 29, 2021.

In accordance with FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, and applicable regulations¹ and guidance of the Council on Environmental Quality, the FAA has

¹ The CEQ issued a final rule to update its regulations for Federal agencies to implement the National Environmental Policy Act (NEPA) on July 16, 2020 with an effective date of September 14, 2020. While the effective date occurred prior to the release of the Final EIS, the amended regulations apply "to any NEPA process begun after September 14, 2020", and this EIS had already been underway for four years and released to the public as a Draft EIS prior to that effective date. *See* 40 CFR § 1506.13 (2020).

conducted an independent evaluation and analysis of the USAF's Final EIS and adopts it for purposes of making its decision regarding the FAA's Proposed Action. As discussed below, based on the information in the Final EIS, the FAA has determined that its Proposed Action would not have a significant impact.

THE FAA'S PROPOSED ACTION

The FAA's Proposed Action includes changes to the Talon MOA/ATCAA complex, including modification of and establishment of MOAs and ATCAAs. The floor of the Talon Low MOA would be raised from its current 300 feet AGL to 500 feet AGL. This would allow the Air Force to return the lower 200 feet of the airspace to the National Airspace System (NAS). It also includes the revocation of the Valentine MOA and Bronco 1 and 2 MOAs, and returning them to the NAS.

Talon Low A MOA, New Mexico (NM)

Boundaries. Beginning at lat. 32°56'49"N., long. 104°50'04"W.,
to lat. 32°52'24"N., long. 104°38'12"W.,
to lat. 32°39'06"N., long. 104°34'00"W.,
to lat. 32°34'36"N., long. 104°36'18"W.,
to lat. 32°25'36"N., long. 104°29'42"W.,
to lat. 32°17'00"N., long. 104°27'00"W.,
to lat. 32°11'51"N., long. 104°38'06"W.,
to lat. 32°07'04"N., long. 105°21'30"W.,
to lat. 32°18'00"N., long. 105°20'06"W.,
to the point of beginning.

Altitudes. 500 feet AGL up to but not including 12,500 feet MSL.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon Low B MOA, NM

Boundaries. Beginning at lat. 32°55'00"N., long. 104°19'39"W.,
to lat. 33°00'57"N., long. 104°08'42"W.,
to lat. 32°51'23"N., long. 103°50'10"W.,
to lat. 32°36'31"N., long. 103°53'53"W.,
to lat. 32°33'03"N., long. 104°10'23"W.,
to the point of beginning.

Altitudes. 500 feet AGL up to but not including 12,500 feet MSL.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Therefore, this EIS has been prepared in accordance with the original CEQ regulations promulgated in 1978 and associated CEQ guidance documents. All specific references to CEQ regulations refer to the 1978 regulation.

Talon High A MOA, NM

Boundaries. Beginning at lat. 33°01'42"N., long. 104°46'16"W.,
thence counterclockwise via the 20 nautical mile (nm) arc of the CME VORTAC,
to lat. 33°01'06"N., long. 104°30'17"W.,
to lat. 32°14'35"N., long. 104°13'15"W.,
to lat. 32°11'51"N., long. 104°38'06"W.,
to lat. 32°07'04"N., long. 105°21'30"W.,
to lat. 32°18'00"N., long. 105°20'06"W.,
to lat. 32°56'49"N., long. 104°50'04"W.,
to the point of beginning.

Altitudes. 12,500 feet MSL up to but not including FL 180.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon High B MOA, NM

Boundaries. Beginning at lat. 33°01'06"N., long. 104°30'17"W.,
to lat. 33°01'14"N., long. 104°29'01"W.,
to lat. 33°01'39"N., long. 104°26'36"W.,
to lat. 33°02'33"N., long. 104°23'35"W.,
to lat. 33°03'58"N., long. 104°20'31"W.,
to lat. 33°05'22"N., long. 104°18'33"W.,
to lat. 33°05'22"N., long. 104°17'16"W.,
to lat. 33°00'57"N., long. 104°08'42"W.,
to lat. 32°51'23"N., long. 103°50'10"W.,
to lat. 32°36'31"N., long. 103°53'53"W.,
to lat. 32°28'00"N., long. 103°56'00"W.,
to lat. 32°16'44"N., long. 103°52'32"W.,
to lat. 32°14'35"N., long. 104°13'15"W.,
to the point of beginning.

Altitudes. 12,500 feet MSL up to but not including FL180.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon High C MOA, NM

Boundaries. Beginning at lat. 33°05'22"N., long. 104°17'16"W.,
to lat. 33°05'22"N., long. 103°47'59"W.,
to lat. 32°59'59"N., long. 103°48'00"W.,
to lat. 32°51'23"N., long. 103°50'10"W.,
to lat. 33°00'57"N., long. 104°08'42"W.,
to the point of beginning.

Altitudes. 12,500 feet MSL up to but not including FL 180.

Times of use. By NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon A ATCAA, NM

Boundaries. Beginning at lat. 33°01'42"N., long. 104°46'16"W.,
thence counterclockwise via the 20 nm arc of the CME VORTAC,
to lat. 33°01'08"N., long. 104°30'18"W.,
to lat. 32°14'35"N., long. 104°13'15"W.,
to lat. 32°11'51"N., long. 104°38'06"W.,
to lat. 32°07'04"N., long. 105°21'30"W.,
to lat. 32°18'00"N., long. 105°20'06"W.,
to lat. 32°56'49"N., long. 104°50'04"W.,
to the point of beginning.

Altitudes. FL180 to FL510.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon B ATCAA, NM

Boundaries. Beginning at lat. 33°01'08"N., long. 104°30'13"W.,
to lat. 33°01'14"N., long. 104°29'01"W.,
to lat. 33°01'39"N., long. 104°26'36"W.,
to lat. 33°02'33"N., long. 104°23'35"W.,
to lat. 33°03'58"N., long. 104°20'31"W.,
to lat. 33°05'22"N., long. 104°18'33"W.,
to lat. 33°05'22"N., long. 104°17'16"W.,
to lat. 33°00'57"N., long. 104°08'42"W.,
to lat. 32°51'23"N., long. 103°50'10"W.,
to lat. 32°36'31"N., long. 103°53'53"W.,
to lat. 32°28'00"N., long. 103°56'00"W.,
to lat. 32°16'44"N., long. 103°52'32"W.,
to lat. 32°14'35"N., long. 104°13'15"W.,
to the point of beginning.

Altitudes. FL180 to FL510.

Times of use. 0700 to 2200 Monday through Friday; other times by NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Talon C ATCAA, NM

Boundaries. Beginning at lat. 33°05'22"N., long. 104°17'16"W.,
to lat. 33°05'22"N., long. 103°47'59"W.,
to lat. 32°59'59"N., long. 103°48'00"W.,
to lat. 32°51'23"N., long. 103°50'10"W.,
to lat. 33°00'57"N., long. 104°08'42"W.,
to the point of beginning.

Altitudes. FL180 to FL510.

Times of use. By NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. United States Air Force, Commander, 49th Wing, Holloman AFB, NM.

Revocation of Three (3) MOAs to Return them to the NAS

Valentine MOA, TX

Boundaries. Beginning at lat. 30°55'30"N., long. 105°11'47"W.; to lat. 30°55'30"N., long. 104°48'32"W.; to lat. 31°03'00"N., long. 104°36'32"W.; to lat. 31°04'00"N., long. 104°24'32"W.; to lat. 30°57'31"N., long. 104°09'32"W.; to lat. 30°31'31"N., long. 104°09'32"W.; to lat. 30°26'01"N., long. 104°05'32"W.; to lat. 29°45'31"N., long. 104°27'02"W.; to lat. 29°45'31"N., long. 104°34'02"W.; thence north and west along the U.S./Mexico border to lat. 30°47'16"N., long. 105°12'02"W., to the point of beginning.

Altitudes. 15,000 feet MSL to but not including FL 180.

Times of use. By NOTAM.

Controlling agency. FAA, Albuquerque ARTCC.

Using agency. 49th Tactical Fighter Wing, Holloman AFB, NM.

Bronco 1 MOA, TX

Boundaries. Beginning at lat. 34°17'51"N., long. 102°48'21"W.; to lat. 34°03'56"N., long. 102°28'52"W.; to lat. 33°52'31"N., long. 102°34'59"W.; to lat. 33°46'02"N., long. 102°36'59"W.; to lat. 33°42'29"N., long. 102°37'24"W.; to lat. 33°35'35"N., long. 103°30'45"W.; to lat. 33°49'06"N., long. 103°18'16"W.; to the point of beginning.

Altitudes. 8,000 feet MSL to, but not including, FL 180.

Times of use. 0700-2000 mountain time, Monday-Friday; other times by NOTAM.

Controlling agency. FAA, Fort Worth ARTCC.

Using Agency. U.S. Air Force, 27th Special Operations Wing, Cannon AFB, NM.

Bronco 2 MOA, TX

Boundaries. Beginning at lat. 33°35'35"N., long. 103°30'45"W.; to lat. 33°42'29"N., long. 102°37'24"W.; to lat. 33°30'28"N., long. 102°36'33"W.; to lat. 33°21'42"N., long. 103°43'00"W.; to the point of beginning.

Altitudes. 10,000 feet MSL to, but not including, FL 180.

Times of use. By NOTAM.

Controlling agency. FAA, Fort Worth ARTCC.

Using Agency. U.S. Air Force, 27th Special Operations Wing, Cannon AFB, NM.

PURPOSE AND NEED

The purpose of the FAA's Proposed Action is to accommodate the USAF's F-16 training needs. The FAA's Proposed Action is needed because much of the training airspace used by aircraft assigned to Holloman AFB were developed for legacy aircraft more than 30 years ago and do not have the optimum volume, proximity, times, or attributes to support F-16 pilot training missions at Holloman AFB. FAA's accommodation considers the modification and/or establishment of special use airspace. This accommodation is needed in order to provide readily available and adequately sized training airspace with appropriate attributes for the USAF to conduct F-16 pilot training missions for aircrews stationed at Holloman AFB.

ALTERNATIVES

In addition to the FAA's Proposed Action (described above), the Final EIS also carries forward for detailed analysis Alternative 2: Cato, Smitty, and Lobos MOAs Modifications and the Christa and Kendra ATCAA Establishments (see FEIS Section 2.8.2); Alternative 3 (see FEIS Section 2.8.3); and the No-Action Alternative (see FEIS Section 2.8.4). The USAF considered other alternatives, but determined they did not meet their selection standards. These alternatives are discussed in the FEIS Section 2.6, Alternatives Eliminated.

Alternative 2

Under Alternative 2, the Cato and Smitty MOAs would be reconfigured and expanded, the Lobos MOA would be established, and the Christa and Kendra ATCAAs would be established (FEIS Figure 2.8-6). Training operations would occur throughout the proposed airspace. Reconfiguring the dimensions of the Cato and Smitty MOAs would allow for the northern portion of the MOAs to be returned to the NAS for civilian aircraft use (approximately 900 square nm) (Figure 2.8-10). Also, as part of this Proposed Action, the Valentine MOA and Bronco 1 and 2 MOAs would be returned to the NAS.

Alternative 3

Alternative 3 represents a combination of the Proposed Action and Alternative 2 in which the existing Talon, Cato, and Smitty MOAs would be reconfigured and expanded, Lobos MOA would be established but without the low MOA component, and the Christa and Kendra ATCAAs would be established (FEIS Figures 2.8-11 and 2.8-12); however, the Talon High C MOA/ATCAA would not be established. Proposed operations would be split among all the MOAs. The floor of the Talon MOA would be raised from its current 300 feet AGL to 500 feet AGL (as described under Alternative 1). This would allow the Air Force to return the lower 200 feet of the airspace to the NAS. This alternative was developed in response to comments received during the scoping process. Reconfiguring the dimensions of the Cato and Smitty MOAs would allow for the northern portion of the MOAs to be returned to the NAS for civilian aircraft use (approximately 900 square nm) (Figure 2.8-10). Also, as part of this Alternative, the Valentine MOA and Bronco 1 and 2 MOAs would be returned to the NAS.

No Action Alternative

Under the No Action Alternative, there would be no SUA modifications in the vicinity of Holloman AFB to accommodate the USAF's F-16 pilot training. Training for F-16 aircrews stationed at Holloman AFB would continue to use restricted areas at WSMR and Fort Bliss, and MOAs in the vicinity of Holloman AFB to the extent practicable (see **Section 1.2.2**). The boundaries of Talon, Cato, and Smitty MOAs would remain unchanged and they would continue to be used as they are currently. No airspace would be returned to the NAS. The current inefficiencies in accomplishing F-16 pilot training would continue. The No Action Alternative does not meet the purpose of and need for the Proposed Action.

ENVIRONMENTAL IMPACTS

In accordance with FAA Order 1050.1F, the FAA has conducted an independent evaluation of the Final EIS.

Impact Categories

The following summarizes the results of FAA's independent evaluation of the information and analysis in the Final EIS regarding the potential environmental impacts of the FAA's Proposed Action.

Air Quality

Potential effects of the FAA's Proposed Action on air quality are addressed in Section 4.4 and Appendix G of the Final EIS. To assess emissions from the Proposed Action, the emissions from current F-16 pilot training flights in the MOAs and the use of several MTRs that intersect the existing and proposed MOAs, i.e., current operations, were compared with the emissions from the proposed training flights on an annual basis; transient aircraft were also included in the model, as were estimated emissions from flare detonation below 3,000 AGL.

FAA Order 1050.1F, Exhibit 4-1, states the FAA's significance threshold for air quality as: "The action would cause pollutant concentrations to exceed one or more of the National Ambient Air Quality Standards (NAAQS), as established by the Environmental Protection Agency under the Clean Air Act for any of the time periods analyzed, or to increase the frequency or severity of any such existing violations." The Environmental Protection Agency (USEPA) has established NAAQS for six criteria pollutants: carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM-10 and PM-2.5), and sulfur dioxide (SO₂).

For attainment area criteria pollutants, the project air quality analysis uses the USEPA's Prevention of Significant Deterioration (PSD) permitting threshold of 250 tons per year (TPY) as an initial indicator of the local significance of potential impacts to air quality. In the context of criteria pollutants for which the proposed project region is in attainment of a NAAQS, the analysis compares the estimated annual net increase in emissions to the 250 TPY PSD permitting threshold.

The Air Quality region of influence (ROI) for the Proposed Action includes the proposed Talon Low MOAs where flight activity would occur below the 3,000-foot mixing height. The ROI includes portions of the following areas in New Mexico: Chaves, Eddy and Otero Counties. For the Proposed Action, criteria pollutant emissions would increase with the proposed aircraft activity. However, the potential net increases would be less than the comparative thresholds used as a guide for assessing significance. The criteria pollutant emissions associated with the Proposed Action would not alter the attainment status of Chaves, Eddy, or Otero Counties and would not be categorized as significant.

Based on the FAA's independent review and evaluation, the FAA concludes that the Proposed Action is not likely to have significant impacts on air quality when compared with the No Action Alternative.

Biological Resources (including fish, wildlife, and plants)

The potential effects of the FAA's Proposed Action on biological resources are addressed in Section 4.5 of the Final EIS. FAA Order 1050.1F, Exhibit 4-1, states the FAA's significance threshold for Biological Resources (including fish, wildlife, and plants): "The U.S. Fish and Wildlife Service or the National Marine Fisheries Service determines that the action would be

likely to jeopardize the continued existence of a federally listed threatened or endangered species, or would result in the destruction or adverse modification of federally designated critical habitat.”

Military training within the proposed Talon MOA could potentially disturb wildlife residing beneath the existing and proposed airspace. Disturbance could be caused by the visual observation of the aircraft, aircraft noise, and the use of chaff and flare. Specifically, as discussed below under “Noise and Noise-Compatible Land Use,” the Proposed Action would have minor increases to the average acoustic environment attributable to military aircraft activity. Additionally, the Proposed Action would have minor visual and chaff and flare impacts to wildlife and domestic animals residing beneath the airspace.

There are five threatened or endangered bird species beneath the airspace that could be disturbed from the noise or military training activities. The Final EIS and associated Biological Assessment determined that the Proposed Action would have “no effect” to Interior Least Tern and Piping Plover; and “may affect, not likely to adversely affect” the Mexican Spotted Owl, Northern Aplomado Falcon, and the Southwestern Willow Flycatcher. The U.S. Fish and Wildlife Service concurred with these findings in a letter dated April 17, 2020 (Final EIS Appendix H).

Therefore, the FAA’s Proposed Action would not have significant impacts on biological resources when compared to the No Action Alternative.

Coastal Resources

New Mexico does not have a federally approved coastal management program or defined coastal zones, therefore this environmental impact category is not relevant to FAA’s Proposed Action.

Climate

The potential effects of the FAA’s Proposed Action on climate are addressed in Section 4.4 of the Final EIS. As recognized in the FAA’s NEPA procedures, there are no significance thresholds for aviation GHG emissions, and it is not currently useful for the NEPA analysis to attempt to link specific climate impacts to a proposed action or alternative given the small percentage of emissions aviation projects contribute.²

The GHG analysis is a global analysis. Since all of the military operations that would occur in the expanded Talon MOA already occur locally or in another state there is no *increase* in GHGs. The analysis documented in the Final EIS shows that the FAA’s Proposed Action would continue to contribute approximately 164,899 tpy of CO₂e.

Although it is possible that re-routing of civil aviation (see “Socioeconomic Impacts” below) could result in additional miles flown, any resulting increase in GHG emissions would not be expected to appreciably contribute to national GHG emissions.

² 1050.1F Desk Reference, Section 3.1.1 (FAA, 2020).

Based on FAA's independent review and evaluation, the FAA concludes that the Proposed Action is not likely to result in significant impacts on Climate, because it would introduce no more than minimal amounts of GHGs as compared to the No Action Alternative.

Department of Transportation Act, Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 (now codified at 49 USC § 303) provides that the Secretary of Transportation may approve a transportation project that requires the use of any publicly owned land from a public park, recreation area, or wildlife or waterfowl refuge of national, state, or local significance; or land from any publicly or privately owned historic site of national, state, or local significance, only if there is no feasible and prudent alternative to the use of such land and the program or project includes all possible planning to minimize harm resulting from the use. Designation of airspace for military flight operations is exempt from section 4(f). The National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85) provided that “[n]o military flight operations (including a military training flight), or designation of airspace for such an operation, may be treated as a transportation program or project for purposes of section 303(c) of title 49, United States Code.” Therefore, this project is not subject to Section 4(f).

Farmlands

The Farmland Protection Policy Act regulates Federal actions with the potential to convert farmland to non-agricultural uses. The Proposed Action would not involve any ground disturbance or conversion of farmland to non-agricultural uses, therefore, this impact category is not relevant to FAA's Proposed Action.

Historical, Architectural, Archeological, and Cultural Resources

The FAA impact category of Historical, Architectural, Archeological, and Cultural Resources is addressed in the Cultural Resources Section 4.11 of the Final EIS. The National Historic Preservation Act (NHPA) Section 106 (Section 106) regulations direct federal agencies to make reasonable and good faith efforts to identify historic properties in regards to a proposed action (36 CFR § 800.4(b)(1)). Federal agencies are to take into account the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within areas that may be affected. Compliance with Section 106 requires consultation with the State Historic Preservation Officer (SHPO) and/or the Tribal Historic Preservation Officer (THPO) if there is a potential adverse effect to historic properties within the Area of Potential Effect (APE) that are on or eligible for listing on the NRHP.

The EIS identified 10 archaeological sites and 17 architectural sites listed in the NRHP in the ROI. The archaeological sites consist of ruins, artifact scatters, and historic ranches which would not be affected by airspace actions. Of the 17 architectural sites, all but 1 are located beneath the existing Talon MOA and currently exposed to military training with no documented impacts.

The FAA's Proposed Action would result in changes to aircraft training flights. These flights could result in changes to noise, but as discussed below under “Noise and Noise-Compatible Land Use,” the Proposed Action would not have significant increases in aircraft noise. No construction or other ground disturbing activities are part of the FAA's Proposed Action.

Consultation with federally recognized Native American representatives was undertaken to identify land, structures, or resources potentially of concern related to the Proposed Action. Outreach consisted of written correspondence mailed to tribal contacts on August 25, 2017, December 14, 2018, October 18, 2019, and January 29, 2021. There have been either no responses or no concerns raised by any tribes regarding the Proposed Action, affected or proposed airspaces, or sacred sites or other cultural resources-related concerns.

In accordance with NHPA requirements, the USAF initiated consultation under Section 106 of the NHPA with the New Mexico SHPO on the Proposed Action with a letter dated October 18, 2019 that identified the undertaking, APE, and the USAF's finding of "no adverse effect." The New Mexico SHPO concurred with the "no adverse effect" finding on October 30, 2019. Copies of the Section 106 consultation letters and additional correspondence are located in Appendix J of the Final EIS.

Therefore, the FAA has determined that its Proposed Action would not have significant impacts on historical, architectural, archaeological or cultural resources when compared to the No Action alternative.

Land Use

The potential effects of the FAA's Proposed Action on land use are discussed in Section 4.6 of the Final EIS. The FAA has not established a significance threshold for land use. The determination that significant impacts exist usually depends on whether the Proposed Action would result in other impacts, most often noise, exceeding thresholds of significance which have land use ramifications.

The ROI for land use includes over 2.6 million acres of land beneath the proposed Talon MOA. Extractive industries including oil production, forestry, and grazing operations are common within the ROI. Much of the land (approximately 1.5 million acres) beneath the proposed airspace is managed by Federal agencies, including Bureau of Land Management, U.S. Forest Service, and Bureau of Reclamation. None of the land beneath the airspace is expected to experience noise levels in excess of 65 DNL. These levels are below the threshold of 65 DNL considered to be incompatible with residential and recreational land uses. No other land use impacts have been identified that would exceed any significance thresholds.

Therefore, the FAA has determined that its Proposed Action would not have significant impacts on land use when compared to the No Action Alternative.

Natural Resources and Energy Supply

The FAA has not established a significance threshold for this category, which is discussed in Section 3.1.3 of the Final EIS.

The term "natural resources" refers to the materials or substances such as minerals, forests, water, and land that occur in nature. In the context of this project, natural resources and energy supply refers to the natural or depletable resources found within or near the project area such as water, and energy supplies such as electricity, natural gas, and fuels. The applicable natural resource to FAA's Proposed Action is the additional fuel supply needed

for non-participating Instrument Flight Rules (IFR) aircraft to deviate around the active MOA or ATCAA. During times of military use, civil aircraft routing around the ATCAA would add an average of 21 seconds of travel time which would have negligible to no impacts to fuel consumption. The additional time to avoid Talon High A, B, or C or Talon Low A or B during activation would range from 1 to 9 minutes depending on the origin and destination (Final EIS, Appendix D2 Section D2.3). The additional time would only occur when the MOA was active and would have minor impacts to fuel consumption.

Therefore, the FAA has determined that its Proposed Action would not have significant impacts on natural resources and energy supply when compared to the No Action Alternative.

Noise and Noise-Compatible Land Use

This impact category is addressed in Section 4.3 of the Final EIS. For aviation noise analyses, the Federal Aviation Administration (FAA) has determined that the cumulative noise energy exposure of individuals to noise resulting from aviation activities must be established in terms of Day Night Average Sound Level (DNL), the FAA's primary noise metric. The FAA defines a "significant" noise increase as an increase in DNL of 1.5 dB or more in a noise sensitive area that is exposed to noise at or above DNL 65 dB, or that will be exposed at or above DNL 65 dB due to a DNL 1.5 dB or greater increase, when compared to the no action alternative for the same timeframe.³ For air traffic airspace and procedure actions, the FAA also identifies any areas where there would be a "reportable" noise increase, which the FAA defines as an increase in DNL of: (1) 3 dB or more at DNL 60 to <65 dB; or (2) 5 dB or more at DNL 45 to <60 DNL.⁴

Much of the land associated with the Proposed Action lies beneath an existing MOA or Military Training Route and is therefore currently exposed to military aircraft noise. The baseline DNL values for the various MOA components (Low A/B and High A/B/C) range from <35 dBA to 54 dBA with the projected DNL ranging from 39 dBA to 57 dBA. The model used to calculate baseline and projected noise [MR_NMAP] does not calculate noise levels below 35 dB due to difficulty of accurately predicting low noise levels. There would be no values that exceed FAA's 65 dB DNL significant threshold. The Final EIS specifically evaluates the potential increase in DNL at various Points of Interest throughout the proposed MOA (notably, cities or towns and major areas of recreation). A "reportable" increase according to FAA's criteria would occur at the Village of Loving, New Mexico (population 1,241) and census designated place Loco Hills, New Mexico (population 24). These areas are located beneath the proposed Talon High/Low B, in areas where there is currently no military training airspace; thus, the baseline DNL is calculated as <35 dB. The projected DNL at Loving is 42 dB DNL and at Loco Hills is 56 dB DNL. Noise exposure at these levels would not have public health or hearing impacts, nor would

³ FAA Order 1050.1F, Exhibit 4 1. The FAA also identifies the following as "factors to consider" in evaluating the context and intensity of noise impacts: "Special consideration needs to be given to the evaluation of the significance of noise impacts on noise sensitive areas within Section 4(f) properties (including, but not limited to, noise sensitive areas within national parks; national wildlife and waterfowl refuges; and historic sites, including traditional cultural properties) where the land use compatibility guidelines in 14 CFR part 150 are not relevant to the value, significance, and enjoyment of the area in question. For example, the DNL 65 dB threshold does not adequately address the impacts of noise on visitors to areas within a national park or national wildlife and waterfowl refuge where other noise is very low and a quiet setting is a generally recognized purpose and attribute." As explained above, Section 4(f) is inapplicable to this project.

⁴ FAA Order 1050.1F, Appendix B, paragraph B-1.4.

these values exceed thresholds for land use restrictions. The full noise analysis report is in Appendix F of the FEIS.

Therefore, the FAA has determined that its Proposed Action would not have significant impacts when compared to the No-Action Alternative.

Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks

Socioeconomics

The FAA has not established a significance threshold for socioeconomic impacts, which are discussed in Section 4.8 of the Final EIS.

The counties associated with the Proposed Action have relatively stable or slow growing populations, similar to New Mexico as a whole. Agriculture, including beef and dairy cattle ranching, is an important economic activity in this area. DoD expenditures (captured under public administration) at Cannon AFB, Holloman AFB, and White Sands Missile Range also play a large role in the economy. Other important industries are oil, gas, manufacturing, education, research, banking, and medical services. The Proposed Action is unlikely to affect population levels within any of the counties. As discussed above in "Noise and Noise-Compatible Land Use", the noise associated with training is lower than that associated with an active runway). Also the noise exposure would be distributed across a vast area and no single location would be expected to receive a consistently high exposure to noise. The highest DNL expected at any of the municipalities under the proposed MOA is 56 DNL which is well below the 65 DNL threshold established for land use restrictions and significantly lower than 75 DNL which has been indicated to affect property values. Given the low expected DNL values and the distribution of the training activity across such a large area, it would not be expected that the Proposed Action would have any quantifiable impacts to the housing values or socioeconomics within the ROI.

The FAA has determined that its Proposed Action would not have significant socioeconomic impacts when compared to the No Action alternative.

Environmental Justice and Children's Health and Safety Risks

The FAA has not established a significance threshold for Environmental Justice or for Children's Environmental Health and Safety Risks, which are discussed in Section 4.9 of the Final EIS.

The ROI for environmental justice is defined as the region in which there is the potential for adverse impacts from the Proposed Action. The ROI consists of portions of Chaves, Eddy, and Otero counties beneath the proposed Talon MOA. The minority population exceeds 50 percent in Chaves (59.0%) and Eddy (50.7%) counties. The low-income population exceeds 20 percent in Chaves (21.6%). No significant impacts were identified in association with any resource areas that would be anticipated to adversely impact the health or environment of minority or low-income populations or children living under proposed Talon MOA. Noise levels in the airspace would remain below 65 DNL and would not create a health concern. Air emissions would not exceed any defined thresholds that are in place to protect the public health. The proposed training operations would be spread across a vast area and are not expected to occur

in any one location on a repetitive basis; therefore, no population would be exposed to a disproportionate amount of overflights and the associated impacts from those overflights.

Therefore, the FAA has determined that its Proposed Action would not have significant or disproportionate impacts on environmental justice populations or children when compared to the No Action Alternative.

Visual Effects

Visual effects are discussed in Section 3.1.3 of the Final EIS. The FAA has not established a significance threshold for Visual Effects, but has identified factors to consider in evaluating their context and intensity.⁵

The visual effects analysis determines the extent to which the Proposed Action would produce light emissions that would create annoyance or interfere with activities, contrast with, or detract from the visual character of the existing environment. Military training would be dispersed throughout the Talon MOA and occur at various altitudes with most of the training occurring above 10,000 feet AGL. Approximately ten percent of training operations would occur after dark. Safety lights on the F-16 aircraft would not be any different than common commercial aircraft in the area. Flares, if used after dark, would be a temporary source of light emissions (flares burn for approximately 3 to 5 seconds).

Therefore, the FAA's Proposed Action would not have a significant impact on visual resources when compared with the No Action Alternative.

Water Resources

Wetlands and Floodplains

The FAA's Proposed Action would not create a physical disturbance or create ground disturbance that would impact wetlands or floodplains; therefore, this impact category is not applicable.

Surface Waters and Groundwater

The FAA's Proposed Action would not impact surface water or groundwater; therefore, this impact category is not applicable.

Wild and Scenic Rivers

There are no designated wild and scenic rivers located within the ROI; therefore, this impact category is not applicable.

Based on the information above on wetlands, floodplains, surface waters, groundwater, and wild and scenic rivers, the FAA has determined that its Proposed Action would not result in significant impacts on water resources when compared to the No Action Alternative.

⁵ See FAA Order 1050.1F, Exhibit 4-1.

Cumulative Impacts

Cumulative impacts result from incremental impacts of an action when combined with other past, present, and reasonably foreseeable future actions (40 CFR 1508.7). Cumulative impacts can result from individually minor but collectively significant actions over a period of time. Cumulative impacts would occur if incremental impacts of the Proposed Action, added to the environmental impacts of past, present, and reasonably foreseeable future actions, would result in an adverse effect to resources in the region. The Final EIS analyzed past, present, and foreseeable future projects in the ROI. Past projects that interact with the Talon MOA are captured in the baseline conditions or affected environment and are therefore accounted for in the Proposed Action analysis. Foreseeable future projects addressed in the cumulative analysis include the permanent beddown of F-16 squadrons at Holloman AFB (relocated from Hill AFB), contracted adversary air training support, and local flying area for low-level helicopter training from Fort Bliss.

The beddown of two additional squadrons of F-16s was accounted for in the Proposed Action analysis; there would be no separate or additional cumulative impacts. The adversary air training support would use the proposed Talon MOA but these projected sorties are accounted for in the potential transient operations and therefore would not have an additional cumulative impact. The preferred alternative addressed in the Local Flying Area EIS would include use of the Talon MOA. If selected, the minimum flight altitude for helicopter training would be lowered from 3,000 to 500 feet AGL. Helicopter operations within the entire Fort Bliss Local Flying Area (throughout southern New Mexico) would typically be approximately 16 sorties per week. Helicopter training could occur concurrently with F-16 training in the Talon MOA using VFR; no cumulative impact is expected.

Based on its independent review of the FAA Proposed Action, the FAA has determined there would be no significant cumulative impacts as a result of the FAA's Proposed Action.

Other Considerations

In accordance with FAAO 7400.2M, the FAA prepared an Aeronautical Study on the Proposed Action, which is incorporated by reference into this ROD. After the conclusion of the Aeronautical Study comment period, the FAA changed the coordinates of the airspace action. One coordinate in each of the Talon High A and B MOAs was changed to more accurately be 20 nm from the navigation aid, the CME VORTAC. The minor change in the revised legal descriptions do not materially change the special use airspace request or the analysis done in the FEIS and the Aeronautical Study. The modification to the legal description did not change the area of analysis; therefore, the environmental and aeronautical analyses are still valid. Because this is not substantial change and does not reflect significant new circumstance or information relevant to environmental concerns, a supplement to the final EIS is not required.

Based on the FAA's independent evaluation of the information and analysis in the Final EIS regarding potential impacts on land use, the FAA's Proposed Action is consistent with the plans, goals, and policies for the area and with the applicable regulations and policies of federal, state, and local agencies.

Mitigation

The USAF developed non-discretionary mitigations to address concerns expressed in comments provided by the public and governmental agencies. These mitigations are presented in the Final EIS (Page 7-2, § 7.2). All mitigations identified in the Final EIS will be implemented and included in a USAF post-ROD Mitigation Plan.

Mitigation by avoidance is achieved by having been incorporated into Alternative 1 as part of the airspace proposal and will, therefore, be implemented automatically as part of the FAA airspace approval and charting process.

Compliance laws and regulations administered by the U.S. Environmental Protection Agency and other regulatory and/or state environmental quality agencies are mandated and some have mitigating effects. These laws and regulations are not considered discretionary with respect to USAF decision making and will be implemented.

To track non-discretionary mitigations, the USAF will develop a Mitigation Plan within 90 days of the signature of its ROD that identifies principal and subordinate organizations with responsibility for oversight and execution of these specific actions. In no case will an impact-inducing action be taken or implemented prior to the applicable mitigation measure (defined below) being funded and put in place.

The Mitigation Plan will include, but not be limited to, the following:

- Identification of the specific non-discretionary actions;
- Identification of the responsible organization for each action; and
- Timing for execution of the actions.

Mitigations are divided into three groups to reflect when they will take effect. Group 1 mitigations are mitigations by avoidance and constitute modifications to the structure of the airspace that are reflected in the Proposed Action, Alternative 1, and will be implemented automatically as part of the FAA aeronautical approval process. Group 2 mitigations will be implemented by agreed upon dates between FAA and the DAF, allowing for a reasonable time to procure and install the equipment if the equipment is determined to be necessary as a result of the FAA analysis. Group 3 mitigations will be implemented when the airspace is being used. All mitigations will be further described in the Mitigation Plan to be implemented in conjunction with airspace use once airspace is approved and published.

All mitigations will be tracked and coordinated through identified agencies of responsibility, updated, and adjusted to accomplish and meet the intent of the mitigation. Mitigation includes:

Group 1

1. Southern boundary of the Talon MOA was adjusted to the north so that:
 - The boundary is four nautical miles from the centerline of the ATS route J66 to eliminate conflict with general aviation along this route.
 - The MOA will not overlap the northern boundary of Carlsbad Caverns National Park.

2. Vertical obstructions that intrude into the 500-foot AGL floor of the proposed Talon Low A and B MOAs would be identified on aeronautical charts. Known obstructions include one tower on the edge of Low A and three towers beneath Low B as shown in Final EIS, Appendix I (Figure 2-1).
3. The boundaries of the Talon Low A and B MOAs were modified during the proposal to:
 - Avoid conflicts with the approach/departure of Artesia Municipal Airport and Cavern City Air Terminal Airport.
 - Maintain a north-south corridor between Carlsbad and Roswell for general aviation operating below 12,500 feet MSL.

Group 2

- The DAF would pay to improve FAA communication infrastructure to support air traffic control radio coverage of the Talon Low MOA area if the equipment is determined to be necessary as a result of FAA aeronautical study.

Group 3

- The Talon High C MOA and Bronco 3 MOA would not be activated at the same time to maintain one of the approach corridors to Roswell International Airport.
- A record of the amount and type of deployed chaff used in the optimized airspace will be maintained at Holloman AFB for up to six years, or until it is determined that such records are no longer needed.
- Since there are numerous DAF installations in southern New Mexico using training airspace, in an effort to streamline the complaint process for the public, the DAF has made arrangements that any complaints concerning aircraft overflights, chaff, and flares in areas east of WSMR (to include the Talon MOA) should be sent to the Holloman AFB Public Affairs Office:

Holloman AFB Public Affairs

Website: <https://www.holloman.af.mil/Contact-Us/>

Telephone number: 575.572.7381

PUBLIC INVOLVEMENT

Scoping Meetings

The Air Force hosted public scoping meetings in Carlsbad, Truth or Consequences, and Las Cruces, New Mexico during the public scoping period that were also attended by FAA representatives. These events are described in Section 1.6 of the FEIS. Several poster displays were staffed by Air Force representatives at each of these scoping meetings to provide information on the Proposed Action and alternatives and to answer questions. A handout was also provided to meeting participants that explained the NEPA process and how the public could be involved. Participants could provide written comments at the meeting, mail them at a later date, or submit electronic comments through the project website. In addition to the formal scoping meetings, Air Force representatives also attended 21 city council, County Commissioner, and stakeholder meetings throughout the ROI to discuss the Proposed Action. Information provided at these stakeholder meetings was the same as the formal scoping meetings.

Public Meetings/Hearings

The Air Force hosted Public Hearings in Hobbs, Roswell, Artesia, Carlsbad, Socorro, Truth or Consequences, Silver City, and Las Cruces, New Mexico that were also attended by FAA representatives. Each hearing began with an open house poster session followed by a formal presentation (video). After the video, an Air Force Judge facilitated the verbal comment periods which were recorded by a court reporter. Participants could also provide written comments at the hearing, mail them in at a later date, or submit them through the project website. The meetings are described in Section 1.6 of the FEIS.

Public Comments and Responses

The Draft EIS was provided for public review from November 1, 2019, to January 31, 2020, and approximately 17,000 comments were received. Due to the voluminous number of comment letters received on the Draft EIS, the Air Force summarized the comments in accordance with 40 CFR 1503.4.⁶ After considering all public comments, Alternative 1, the Proposed Action, was modified slightly in the south to ensure there was sufficient separation from a federal airway, and to avoid airspace over Carlsbad Caverns National Park.

The vast majority of the 17,000 comments (approximately 16,000 comments) constituted several form letters. The non-form letter substantive comments were summarized into 24 primary categories and the Air Force provided responses in Final EIS Appendix C. FAA independently reviewed comments and responses in each of the 24 categories in Appendix C of the FEIS.

Many of the comments received on the Draft EIS were in opposition of the establishment of MOAs in the western part of the state, which were part of Alternatives 2 and 3. Neither of those alternatives were selected. Some general comments concerned the NEPA process, locations chosen for scoping meetings and public hearings, the alternatives development process, the purpose and need for creating new airspace (specifically in the west), transient aircraft and their expected operations, noise analysis and metrics used, and impacts to wildlife and domestic animals. Comments specifically pertaining to FAA's Proposed Action (Talon MOA) included the following:

- Impacts to communities beneath the area of transit between Holloman AFB and Talon MOA (Final EIS Appendix C, Category 18) *Transition Zones*).
- Concerns with proposed altitude of low MOAs and the impact to VFR traffic (Final EIS Appendix C, Category 3c) *MOA Altitudes*; 9b) *VFR Traffic*).
- General impacts to civil aviation and economics related to the aviation industry (Final EIS Appendix C, Category 8b) *Aviation Industry*; 9a) *Civil Aviation, general*; 9c) *Civil Aviation, IFR Traffic*).
- Concerns about impacts to wind energy development (Final EIS Appendix C, Category 8d) *Wind Energy*).
- Impacts to airport approaches (Final EIS Appendix C, Category 9g) *Airport Approaches*).
- Recommended mitigation (Final EIS Appendix C, Category 22) *Mitigation*).

⁶ See footnote 1.

The FAA determined the USAF responses in the Final EIS adequately addressed the comments received on the Draft EIS. The FAA's independent evaluation of the comments and responses included a specific focus on categories relevant to the FAA's area of jurisdiction.

After publication of the Final EIS on February 5, 2021 and during the 30-day wait period prior to this ROD being signed, DAF received three unsolicited comments. These comments were fully considered in making the decision herein and have been made a part of the administrative record. The scope of comments received included issues such as noise, wildlife impacts, cumulative impacts, economic impacts, and purpose and need for the action. The comments received were all within the scope of comments the DAF received on the Draft EIS. In summary, one of the comments was determined to be non-substantive as it involved military training routes (MTRs) that did not directly pertain to the Proposed Action or alternatives. Another simply noted the agency had no comments on the Final EIS. The other involved a compilation of more than twenty comments submitted by the Center for Biological Diversity on behalf of itself and various other non-governmental organizations involving the foregoing issues mostly with respect to Alternatives 2 and 3, while the group simultaneously expressed general support for selection of Alternative 1.

INCORPORATED BY REFERENCE

- *Final Environmental Impact Statement for Special Use Airspace Optimization to Support Existing Aircraft at Holloman Air Force Base, New Mexico, December 2020*
- USAF ROD dated March 29, 2021
- USEPA concurrence letter on FEIS dated March 1, 2021
- USAF Special Use Airspace Proposal TALON March 30, 2021
- Aeronautical Study, TALON Military Operations Area (MOA)/Air Traffic Assigned Airspace (ATCAA) dated July 24, 2020

DECISIONS AND ORDERS

Finding

The FAA has determined that no significant impacts would occur as a result of the Proposed Action. Although reportable noise increases would occur in certain areas, noise impacts would be well below the FAA's threshold of significance. All impacts from chaff and flare usage were thoroughly examined and were determined to not result in significant impacts to any resource category. The DAF has committed to certain non-discretionary mitigation measures as detailed above.

Adoption

The FAA has conducted an independent evaluation of the Final EIS. Based on its independent evaluation, the FAA has determined that the Final EIS adequately addresses the FAA's Proposed Action and meets the applicable standards in FAA Order 1050.1F and applicable regulations of the Council on Environmental Quality implementing the National Environmental Policy Act (40 CFR parts 1500-1508).

Accordingly, the FAA adopts the Final EIS, Appendices and all information identified therein, incorporated by reference, and made publicly available.

Decision and Approval

After careful and thorough consideration of the facts contained herein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101 of NEPA and other applicable environmental requirements and will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(C) of NEPA.

The undersigned has carefully considered the FAA’s statutory mandate under 49 USC § 40103 to ensure the safe and efficient use of the national airspace system as well as the other aeronautical goals and objectives discussed in the Final EIS. The undersigned finds that the FAA’s Proposed Action provides the best approach for meeting the purpose of, and need for, that action.

Accordingly, under the authority delegated to the undersigned by the Administrator of the FAA, the undersigned approves and authorizes all necessary agency action to implement the FAA’s Proposed Action.

This decision signifies that applicable Federal environmental requirements relating to the FAA’s Proposed Action have been met. The decision enables the FAA to implement that action.

Order and Right of Appeal

This ROD constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. §46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the order is issued in accordance with the provisions of 49 U.S.C. §46110. Any party seeking to stay implementation of the ROD must file an application with the FAA prior to seeking judicial relief as provided in Rule 18(a) of the Federal Rules of Appellate Procedure.

Approved: _____

Date: _____

Natasha A. Durkins, Director, AJV-P
Mission Support Services, Air Traffic Organization
Federal Aviation Administration