Response to Comments on the Draft Environmental Impact Statement for the Proposed Fallon Range Training Complex Requirements, NAS Fallon, Nevada

Introduction

The *Draft Environmental Impact Statement for the Proposed Fallon Range Training Complex Requirements, NAS Fallon, Nevada*, was circulated for public and agency review from August 13, 1999, to October 13, 1999; the comment period was extended to November 12, 1999, at the request of the public. During this period, the Navy and the BLM held five public hearings on September 8, 1999, in Eureka, Nevada, on September 9, 1999, in Austin, Nevada, on September 21, 1999, in Gabbs, Nevada, on September 22, 1999, in Fallon, Nevada, and on September 23, 1999, in Reno, Nevada. The public hearings provided the public the opportunity to comment on the adequacy and the accuracy of information presented in the Draft EIS.

In accordance with National Environmental Policy Act implementing regulations, a final environmental impact statement shall provide responses to comments on the Draft EIS (40 CFR 1503.4). In compliance with those regulations, this response to comments section of the Final EIS presents the written and oral comments received during the public review period and responses to the substantive environmental issues raised in those comments.

The written comments have been identified by a numerical designation, and each comment letter has been divided into individual comments. The oral comments received during the public hearings, as presented in official transcripts, are included after the comment letters; like the written comment letters, the transcripts have been divided into individual comments by commenter.

List of Commenters

Written Comments

Letter	Page	Signatory	Agency or Association
1	RTC-4	David Farrel	US Environmental Protection Agency
2	RTC-6	Patricia Sanderson Port	US Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance
3	RTC-11	Robert D. Williams	US Department of the Interior, Fish and Wildlife Service
4	RTC-14	Chuck O'Rourke	US Department of the Interior, Bureau of Indian Affairs
5	RTC-15	Leonard A. Mobley	US Department of Transportation, Federal Aviation Administration, Western-Pacific Region
6	RTC-16	Maurice Frank-Churchill	Yomba Shoshone Tribe
7	RTC-19	Johnnie Bobb	Western Shoshone National Council
8	RTC-20	Heather K. Elliott	State of Nevada, Department of Administration
9	RTC-21	Rebecca Lynn Palmer	State of Nevada, Department of Museums, Library and Art, State Historic Preservation Office
10	RTC-23	Timothy E. Weber	State of Nevada, Department of Water Resources

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11	RTC-24	Mike Del Grosso	State of Nevada, Division of State Lands
12	RTC-25	Pete Goicoechea	Board of Eureka County Commissioners
13	RTC-31	Cheryl Lyngar	Lander County Board of Commissioners
14	RTC-34	E. Leon Hensley, Ed.D.	Lander County School District
15	RTC-35	Ray H. Williams, III	Lander County School Board/Austin Sewer and Water District
16	RTC-36	Sue Weeks	Friends of the Black Rock/High Rock, Inc.
17	RTC-38	Susan Lynn	Public Resource Associates
18	RTC-40	Grace Potorti	Rural Alliance for Military Accountability
19	RTC-50	Jim Anderson	
20	RTC-51	Val Anderson	
21	RTC-52	Cathy Baird	
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23	RTC-54	Dr. Bonnie Eberhardt Bobb	
24	RTC-58	James M. Boudinot	
25	RTC-59	Donna L. and Bill J. Bratton	
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Letter 1

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

1999 OCT -4 PM 2:58
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

Ms. Terri Knutson
Bureau of Land Management
Carson City Field Office
5665 Morgan Hill Road
Carson City, NV 89701

SEP 30 1999

Dear Ms. Knutson,

The U.S. Environmental Protection Agency (EPA) has reviewed the joint Department of the Navy/Bureau of Land Management ***Draft Environmental Impact Statement for the Proposed Fallon Range Training Complex Requirements, Naval Air Station Fallon, Nevada.*** Our comments are provided under the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act and the Council on Environmental Quality's (CEQ) NEPA Implementing Regulations (40 CFR 1500-1508).

The Draft EIS analyzes potential impacts from the proposed construction of Electronic Warfare (EW) and Tracking Instrumentation Subsystem (TIS) installations, associated routing of fiber optic cable along the ground, alteration of hours of operation for designated Military Operations Area (MOA) airspace, raising the ceiling of existing restricted area airspace, and constructing new targets on several operating bombing and gunnery ranges. The proposed action is to update and improve the training capacity at the Fallon NAS to address Department of Defense requirements for Naval Strike and Air Warfare missions.

Based on our review of the Draft EIS, EPA is rating this document ***Category EC-2, Environmental Concerns - Insufficient Information***. While this rating reflects the need for additional information to allow for complete assessment of cumulative impacts, EPA has little issue with the proposed project as described in the Draft EIS and finds the potential environmental impacts to be insignificant. Ultimately, our assessment and review will be complete once the additional information regarding cumulative impacts is available. Please refer to the enclosed "Summary of Rating Definitions and Follow-Up Action" for further information on EPA's rating system. The attached comments provide specific information about our concerns and what information and analysis will address them.

Please send a copy of the Final Environmental Impact Statement to my attention (mail code: CMD-2) at the letterhead address at the same time that it is sent to EPA's Washington, D.C. office for filing. Please contact me at (415) 744-1584 or Paul Carroll of my staff at (415) 744-1148 if you have questions regarding our comments.

Sincerely,

David Jonsoric for D. Farrel

Dave Farrel, Chief
Federal Activities Office

Attachments: Specific Comments
EPA Ratings Summary

cc: U.S. Navy.., Larry Jones

Letter 1 (cont'd)

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

Letter 1 (cont'd)

Specific Comments on the Fallon NAS DEIS

1) The Draft EIS Abstract states that there will be "no increase in number of aircraft operations" while the Executive Summary states that the proposed action will increase "training in the Dixie Valley." This could be confusing to readers. EPA assumes that these statements are consistent and that the overall number of flight operations will remain consistent with current operations at Fallon, but that the distribution of training exercises will change and result in increased flights around the Dixie Valley area. The Final EIS should clarify and reconcile these statements. If it is the case that increased training over Dixie Valley will result in an overall increase in annual flight operations, then the Draft EIS lacks sufficient information to fully assess the potential impacts. **1-1**

2) Training areas B-16, B-17, and B-19, the focus of most of the planned enhancements to the training ranges at Fallon, have been active flight training and bombing ranges since 1953. Area B-20 has also had years of military training use. Page 4-21 states that "increased use of ordnance could increase somewhat the potential for release of contaminants (such as metals and explosives compounds)" and that "the amount of increased contaminant releases would be small..." However, Page 5-9, in discussing cumulative impacts, states that "Past military activities . . . have resulted in public health and safety impacts within the region of influence. . . Remediation or closure of affected areas and changes in operations have addressed these issues."

The Draft EIS has not fully addressed the cumulative impacts associated with ordnance and contamination at the four sites. These areas have been active bomb and gunnery ranges for over 45 years, and will continue to experience these impacts into the foreseeable future. Page 4-24 of the Draft EIS states that "...the landscape is already highly disturbed and contaminated with military ordnance." Section 5.3.14, part of the cumulative impacts analysis, discusses "remediation or closure to the public" in a generic sense as ways that these issues have been addressed. The Final EIS should include a more detailed and comprehensive discussion of the current status of the four ranges (B-16, B-17, B-19 and B-20) with respect to contamination resulting from past bombing and strafing operations, what remediation activities - if any - have been carried out, and what the future anticipated impact from similar operations will be. For example, impacts to water and the implications for adhering to water quality standards. This information should be a part of the cumulative impacts analysis. **1-2**

3) Page 2-5 states that the planned typical fixed EW site would utilize staff of 4 to 6 personnel for five days a week, with occasional staffing for seven days a week. This level is approximately twice that indicated as the current operating scenario at all but one current operating EW sites (page 1-12). The Final EIS should include a description the environmental impacts associated with the presence of and operation by additional personnel (such as sanitation requirements). **1-3**

4) Appendix C contains detailed maps of the proposed locations for fixed and mobile EW sites. Appendix H contains field notes and Visual Contrast Rating worksheets for the assessment of impacts to visual resources. The Visual Contrast Rating sheets, and earlier sections of the Draft EIS, refer to the detailed maps in Appendix C for the locations of Key Observation Points (KOPs). While the maps in Appendix C provide valuable detail, they do not clearly show the KOPs that correspond to the Visual Rating Sheets. The Final EIS could make this more clear by placing the locations of KOPs on maps and providing a label. **1-4**

Response to Comment 1-1. The commenter is correct that both referenced statements are accurate. The abstract, Executive Summary, and Chapter 2 have been revised to clarify training in the Dixie Valley as follows:

". . .utilizing Navy-administered lands in Dixie Valley for close air support training, . . ."

Response to Comment 1-2. The primary public health and safety concern associated with training range operations is unexploded ordnance. Since the training ranges are closed to the public, the danger is limited to unexploded ordnance that falls outside of the training range boundaries. The remediation referenced in Section 5.3.14 of the Draft EIS related to ordnance sweeps that were conducted around the training ranges to locate and remove any off-range ordnance. Some off-range ordnance areas on public lands, primarily around the B-17 and B-19 training ranges, could not be cleaned up with a high degree of certainty and were recently withdrawn from the public domain. Because "remediation" infers different types of cleanup activities, the first referenced sentence in Section 5.3.14 has been clarified as follows:

"The Navy has withdrawn areas containing off-range ordnance around the B-17 and B-19 training ranges to address existing off-range ordnance impacts on public lands and has implemented changes in operations to prevent future off-range ordnance impacts."

Pursuant to Public Law 99-606, the Navy recently completed an environmental impact statement that describes the existing environmental conditions at all NAS Fallon withdrawn lands, including the training ranges (US Navy 1999a). The cumulative effect of past ordnance operations at the training ranges has been added to Section 5.3.14 of the Final EIS as follows:

"The Navy expends an average of 2,786 tons of ordnance each year on the NAS Fallon training ranges; nearly 120,000 tons of ordnance have been dropped over the lifetime of the ranges. Approximately half the ordnance is expended at B-17, under a quarter is expended at each of the B-19 and B-20 training ranges, and a small percent is expended at B-16. The Navy periodically performs sweeps on the training ranges to collect surface ordnance; this ordnance is recycled and sold as scrap metal.

No public health and safety impacts result from Navy activity on the training ranges. No significant surface water features exist, and ground water in the area is of poor quality naturally and is not used as a source of drinking water."

Response to Comment 1-3. Under the proposed action evaluated in the EIS, the Navy would staff seven fixed EW sites, four on public lands and three on Navy-administered lands, with four to six personnel per site. Under the preferred alternative identified in the Final EIS (Alternative II discussed in Section 2.2.3), the Navy would staff five fixed EW sites, two on public lands and three on Navy-administered lands. The fixed EW sites would be located over a wide area, and effects from personnel use would not be cumulative. Section 2.2.1 of the EIS describes how fixed EW sites would be developed and operated, including sanitation requirements. Chapter 4 of the EIS analyzes the effects of operation of the EW sites, including the effects from personnel presence; no significant impacts to natural resources were identified.

Response to Comment 1-4. KOPs have been added to figures C-1, C-3, C-5, and C-7 in Appendix C as referenced in Chapter 4 and Appendix H.

Letter 2

United States Department of the Interior
OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
600 Harrison Street, Suite 515
San Francisco, California 94107-1376

October 12, 1999

1999 OCT 15 AM 10:05
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

Bureau of Land Management
Carson City Field Office
Attn: Terri Knutson, EIS Project Manager
5665 Morgan Mill Road
Carcon City, NV 89701

RE: ER 99/725 Draft Environmental Impact Statement for the Proposed Fallon Range Training Complex Requirements.

Dear Mr. Knutson:

The Department of the Interior has reviewed the August 1999 Draft Environmental Impact Statement (DEIS) for Fallon Range Training Complex (FRTC) Requirements. The proposed project would develop electronic warfare sites on public and Navy-administered lands, four tracking instrumentation subsystem remote sites on public lands, fiber optic cable routes from the air station to the B-16 and B-19 training ranges, and helicopter gunnery ranges on B-17 and B-19. The Navy also would increase training on Navy-administered lands in Dixie Valley, revise the operating hours of the Reno Military Operations Area, and raise the ceiling of restricted area airspace to allow for high altitude weapons delivery training at B-17 and B-20.

The FTRC includes a training range (B-20), military operations area (Reno MOA), and associated airspace over or adjacent to three National Wildlife Refuges (NWR) (Stillwater, Fallon, and Anaho Island) within the Stillwater NWR Complex, and the Stillwater Wildlife Management Area which is also managed by the Stillwater NWR Complex. The following comments are provided for your consideration in preparing a Final Environmental Impact Statement (FEIS).

GENERAL COMMENTS

The FEIS should include statements regarding the existing Memorandum of Understanding (MOU) signed in 1987 by the Navy, Department of the Interior (Bureau of Land Management and Fish and Wildlife Service), and the State of Nevada on the Fallon Special Use Airspace. The MOU acknowledges that flights over the Stillwater Wildlife Management Area, Stillwater NWR, and Fallon NWR (depicted on the map attached to the MOU as the Stillwater Wildlife Management Area), as well as other 2-1

Response to Comment 2-1. The following sentence has been added to Section 1.4.2, Training Assets and Capabilities, FRTC Airspace:

"Per a memorandum of understanding signed in 1987 by the Navy, Department of Interior (BLM and USFWS), and State of Nevada, flights over the Stillwater WMA, Stillwater NWR, Fallon NWR, and some other wetland habitats in the Lahontan Valley will not be conducted below 3,000 feet above ground level (agl)."

wetland habitats in the Lahontan Valley, will not be conducted below 3,000 feet above ground level (AGL) to avoid adverse impacts on wildlife.

This minimum altitude restriction is part of baseline conditions and should be mentioned in the restricted airspace section on page 1-10, or other appropriate location. Changes to this MOU are being considered, but the restrictions are anticipated to remain in place. As mentioned in the cumulative impacts section of the DEIS, should the boundary revisions being considered for Stillwater NWR Complex (which extend the refuge to within 1 mile of B-20) be approved, the Fish and Wildlife Service will allow continued use of the existing approach to B-20 below 3,000 feet AGL. **2-1 (cont'd)**

SPECIFIC COMMENTS

EXECUTIVE SUMMARY

Location of NAS Fallon and the FRTC, page ES-1: Washoe County should be added to the list of counties within FRTC airspace. Washoe County should also be included in the county list in section 1.3, Location of Mission of NAS Fallon and the FRTC, page 1-4. **2-2**

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.2.1 Proposed Action, page 2-2: The FEIS should describe the land modifications under the proposed action at mobile EW sites and the equipment to be deployed at those sites. **2-3**

2.2.1 Proposed Action, Hellfire Missile Training, page 2-10: The FEIS should discuss the altitude at which training takes place and the probability of missiles missing targets and landing outside B-20. **2-4**

2.2.1 Proposed Action, High Altitude Weapons Delivery, page 2-10: The FEIS should compare impact noise and vibrations from proposed activities with those resulting from weapons deliveries using existing altitudes. **2-5**

2.2.1 Proposed Action, Special Use Airspace Configuration Adjustments, page 2-14: The FEIS should state when and why the hours of operation for the Reno MOA under NOTAM would fall outside of the Monday through Friday, 8:00 a.m. to 6:00 p.m., normal training schedule. **2-6**

3.0 AFFECTED ENVIRONMENT

3.1.1 Regional Land Use Status and Use, page 3-2: Gerlach and Empire, Washoe County, should be added as population centers within the ROI. **2-7**

3.1.1 Regional Land Use Status and Use, Other Land Status and Use, US Fish and **2-8**

Response to Comment 2-2. Washoe County has been added to the list of counties under FRTC airspace in the Executive Summary and in Section 1.3, Location of NAS Fallon and the FRTC.

Response to Comment 2-3. Paragraphs four and five of Section 2.2.2, Alternative I, describe mobile EW site development and systems that would be deployed to these sites. Figure 2-10 depicts mock-ups of mobile sites. The following sentence has been added to Section 2.2.1, Proposed Action, to refer the reader to Section 2.2.2:

"The EW site subsection of Section 2.2.2, Alternative I, describes the development of and equipment that would be used on these sites."

Response to Comment 2-4. As discussed in Section 2.2.1 of the EIS, data have been collected from test deliveries of Hellfire missiles at the B-17 and B-20 training ranges; all test missiles were contained within the training range boundaries. These data are used to model weapons safety footprints to ensure that missiles are contained within the training ranges. The following text has been added to Section 4.14.1:

"Release of Hellfire missiles would occur no less than 150 feet above ground level over the B-17 and B-20 training ranges and would take place within restricted area airspace. Restrictions on Hellfire missile training would be implemented to ensure that the missiles fired are contained within the designated impact areas on the training ranges, resulting in an extremely low probability that the missiles would land off range."

Response to Comment 2-5. The Navy is proposing to perform weapons delivery training at altitudes of 18,000 feet above mean sea level (MSL) to 35,000 feet above MSL (about 14,000 feet to 31,000 feet above ground level) at the B-17 and B-20 training ranges; current operations are capped at 18,000 feet above MSL (Section 2.2.1). The following statement has been added to Section 4.13.1:

"Increasing the height at which weapons are released would not result in an increase in noise levels or a change in vibrations since terminal velocity of the weapons would be the same at the higher altitude release points as at the current release points. Aircraft noise from high altitude weapons delivery training would be lower than the noise from aircraft performing weapons delivery training at current lower altitudes."

Response to Comment 2-6. As discussed in Section 3.2, the Reno MOA is used for less than 60 sorties per year. This low level of use can be compared to the approximately 38,000 sorties that are flown in the rest of the FRTC airspace annually.

MOAs within the FRTC are currently available outside of normal operating hours by FAA notice to airmen (NOTAM). This sometimes occurs during large-scale training events. To be consistent with other MOA designated use times, the proposed change in use times of the Reno MOA would include a provision that the Navy may use the Reno MOA outside of normal use times by NOTAM. In practice, the Navy uses the Reno MOA infrequently and would rarely, if ever, have a need to use the MOA outside of proposed use times (8:00 AM to 6:00 PM, Monday through Friday).

Letter 2 (cont'd)

Wildlife Service, page 3-2: Please add the following statement: The Reno MOA is located approximately 13 nautical miles north of Anaho Island NWR. **2-8 (cont'd)**

3.2.1 Description of Project-specific FRTC Airspace, Restricted Areas, R-4802 and R-4813, page 3-5: Statement about "flight activities being limited to 3,000 feet AGL over Fallon NWR" should be modified by deleting "Fallon NWR" and inserting "the Stillwater Wildlife Management Area as depicted in the map attached to the 1987 MOU." **2-9**

3.3 Biological Resources, page.3-8: This section makes no mention of the general habitat/wildlife resources (i.e. extensive wetlands used by thousands of migratory waterfowl) under the flight areas but only discusses those resources at the specific sites where new construction will take place within NAS Fallon lands. Table F-2 does however include an extensive list of wildlife, including waterfowl and other birds, which would be found throughout the wetlands of Lahontan Valley. A more detailed discussion of the wildlife resources in the area should be included. **2-10**

3.3.1 Threatened and Endangered Species, page 3-8; Table 3-2, page 3-9: The peregrine falcon was removed from the Federal list of endangered and threatened wildlife on August 25, 1999. **2-11**

3.3.1 Threatened and Endangered Species, page 3-11: The term "nesting habitat" should be changed to "nursery habitat." **2-12**

3.3.2 Vegetation, B-17, B-19, and Dixie Valley, page 3-14; Wetland Habitats, page 15: The FEIS should also discuss the location of wetland habitats by specific range or landholding. B-20 should also be included in the discussion. **2-13**

3.3.2 Vegetation, B-17, B-19, and Dixie Valley, page 3-16: The FEIS should also discuss the location of wildlife by specific range or landholding. B-20 should also be included in the discussion. **2-14**

3.3.4 Wetlands and Other Waters of the US, B-17, B-19, and Dixie Valley, page 3-17: The DEIS states that jurisdictional wetlands may be present on B-17 and B-19 training ranges and that no jurisdictional delineation has been conducted. The DEIS states that prior to dredging or filling wetlands, a jurisdictional wetland delineation should be certified by the US Army Corps of Engineers (COE) and appropriate permits obtained under Section 404 of the Clean Water Act and Section10 of the Rivers and Harbors Act. The FEIS should discuss how often ordinance releases occur in areas which may be jurisdictional wetlands. Additionally, Mitigation Measures, page 4-7, states that the ranges and the fiber optic cable route would be surveyed for wetlands prior to any activities taking place. The FEIS should clearly state what "any activities taking place" means. Do such activities include high altitude weapons delivery, hellfire missile use, helicopter gunnery training, and ground target construction? The FEIS should clearly state where these activities will be performed in relation to possible jurisdictional wetlands and if any COE permits will be necessary. **2-15**

Response to Comment 2-7. As suggested, Gerlach and Empire in Washoe County have been added to the listing of population centers within the region of influence in Section 3.1.1.

Response to Comment 2-8. As suggested, the following statement has been added to Section 3.1.1:

"In addition, Anaho Island NWR is located approximately 13 nautical miles south of the southern end of the Reno MOA."

Response to Comment 2-9. The text of Section 3.2.1 has been revised as suggested to change the Fallon NWR to the Stillwater Wildlife Management Area.

Response to Comment 2-10. Discussions on wildlife and habitat are focused to areas where there will be a direct change in land use from current conditions. General conditions are incorporated by reference (see Section 3.3.3 for wildlife). General vegetative conditions are presented in Section 3.3.2.

Response to Comment 2-11. References to the American peregrine falcon have been deleted from Table 3-2, from Section 3.3.1, and from Section 4.3.1.

Response to Comment 2-12. The term "nesting habitat" has been changed to "nursery habitat" as suggested.

Response to Comment 2-13. General wetlands habitats are described in Section 3.3.2 of the EIS. The majority of wetlands habitats consist of meadows and manmade agricultural ponds and are found on Navy-owned properties in the Dixie Valley. The only training range containing jurisdictional wetlands is B-19, which has a pond, Stinking Springs, near its western border. None of the wetlands identified in the project area would be affected by the proposed action; therefore, in the interest of space, a more detailed discussion is not included. Wetlands are incorporated by reference (US Navy 1997d, US Navy 1999a).

Response to Comment 2-14. Only areas that could be directly affected by the action are discussed. All other areas are incorporated by reference. The following text has been added to the end of the first paragraph in Section 3.3.3 of the Final EIS:

"General data on wildlife within each range and landholding are provided in the *Final Legislative Environmental Impact Statement for the Renewal of the B-20 Land Withdrawal* (US Navy 1999a) and the *Final Environmental Impact Statement for the Withdrawal of Public Lands for Range Safety and Training Purposes* (US Navy 1998c)."

Response to Comment 2-15. The following text has been added at the end of Section 3.3.4 of the Final EIS:

Letter 2 (cont'd)

3.5.2 Site-specific Hydrologic Conditions, Training Ranges and Dixie Valley Area, page 3-20: The description of hydrologic conditions in the ranges and Dixie Valley should include seasonal water bodies, and areas which have water present during wet hydrologic conditions. **2-16**

3.13 Noise, page 3-32: The Noise terminology section gives a general scale from quiet to uncomfortable. Is this how noise affects the average human? This document should also include wildlife response to noise, since wildlife refuges are listed as a sensitive noise receptor. **2-17**

4.0 ENVIRONMENTAL CONSEQUENCES

4.3.1 Proposed Action, EW Site Development, page 4-6: We suggest the term "migratory periods" be replaced with "avian breeding season." **2-18**

4.3.1 Proposed Action, B-17 and B-19 Target Development and Training, page 4-7: We suggest the term "nonsensitive" not be used in the FEIS when describing impacts to wildlife. The FEIS should clearly state what wildlife species may be expected to be directly killed. Migratory birds are protected under the Migratory Bird Treaty Act (15 U.S.C. 701-718h). **2-19**

4.3.1 Proposed Action, Special Use Airspace, Hellfire Missile Training, and High Altitude Weapons Delivery Training, page 4-7: Page 3-16, somewhat describes the wildlife present on ranges where hellfire missile training activities will take place. The DEIS states that biological resources would not be adversely affected by hellfire missile training. The FEIS should clearly describe why missile training will not destroy vegetation or habitat, and why it will not indirectly or directly affect wildlife. **2-20**

4.13 NOISE, 4.13.1 Proposed Action, Impacts, page 4-20: Training Operations and Special Use Airspace sections both state that there are no or few sensitive receptors in these areas. Wildlife refuges are identified in the DEIS as sensitive receptors and are located under the airspace and in the vicinity of B-20. The noise impacts to wildlife should be addressed, in addition to just human impacts. **2-21**

5.0 CUMULATIVE IMPACTS

5.2.2. Description of other proposed and reasonably foreseeable actions, page 5-5: *Expansion of SNWR* section states that restricted area airspace (R4813) over and around B-20 currently extends to the ground. This is true outside the existing boundaries of the NWR, but there is a 3,000 foot AGL restriction over the refuges & management area per the existing MOU. Should the boundary of Stillwater NWR be expanded, the 3,000 foot AGL restriction would continue to apply to the lands within the Stillwater Wildlife Management Area as depicted on the map attached to the 1987 MOU. **2-22**

"No jurisdictional wetlands have been located on any Navy training lands except Dixie Valley landholdings and a fenced pond near the western entrance to B-19. No ordnance is expended in these areas, and current military activities are not known to impact these wetlands."

In addition, the mitigation measures in Section 4.3.1 of the Final EIS have been revised as follows:

"None of the proposed activities are expected to affect jurisdictional wetlands; however, prior to construction and operation of the proposed sites, the ranges and fiber optic route would be surveyed for wetlands. The Navy would obtain any permits for its activities that are required by the Clean Water Act and the Rivers and Harbor Act."

Response to Comment 2-16. The following text has been added to the end of the paragraphs on B-17 and B-19 in Section 3.5.2 of the Final EIS:

". . .; however, water has been recorded as ponding within the range boundary during wet years."

The following text has been added to the end of the paragraph on B-20 in Section 3.5.2 of the Final EIS:

"During wet years, seasonal ponding of water may occur within topographic depressions."

Response to Comment 2-17. The referenced noise scale in Section 3.13 has been revised and labeled to indicate that the scale reference is for human reactions. The text of Section 4.3.1, Biological Resources, has been expanded as follows to include information on noise impacts to wildlife resources as a result of the actions proposed in the EIS:

"*Noise*. Wildlife may be affected by noise from proposed activities, including high altitude weapons delivery training, Hellfire missile training, and generator use at EW sites. Actions on the training ranges would not produce a noticeable difference in the existing noise levels and would therefore not have any new effects to area wildlife. Generator use may produce startle effects in the area of EW sites, but this would be a temporary effect."

Response to Comment 2-18. The text of Section 4.3.1 has been revised as suggested to change "migratory period" to "avian breeding season."

Response to Comment 2-19. The word "nonsensitive" has been deleted from the referenced sentence. The following text has been added to the middle of the paragraph on B-17 and B-19 target development and training in Section 4.3.1 of the Final EIS:

"Species likely to experience direct mortality would be smaller mammals that have limited capabilities to escape heavy machinery, such as mice, voles, and rats. No birds are expected to be directly killed from the action due to their transitory nature. As is standard operating procedure, all sites would be surveyed by a biologist if construction would take place during avian breeding season, thereby ensuring that migratory birds would not be directly affected."

Letter 2 (cont'd)

5.3.3. Biological Resources, page 5-6: The following sentence (third to last sentence in paragraph) should be modified by inserting the word in italics: The *boundary revisions being considered for* the Stillwater NWR also would benefit biological resources. **2-23**

5.3.10: Recreation page 5-8: The following sentence (last in the paragraph) should be modified by inserting the word in italics: ...., as would the *boundary revisions currently being considered* for the Stillwater NWR. **2-24**

We appreciate the opportunity to provide comments on the DEIS. If you have any questions, please contact Jim Harvey at (775) 861-6300 or Donna Withers at Stillwater NWR at (775) 423-5128.

Sincerely,

Patricia Sanderson Port
Regional Environmental Officer

cc: Director, Office of Environmental Policy and Compliance, Washington D.C.
Regional Director, Bureau of Land Management, Reno, NV

Response to Comment 2-20. The last sentence of the referenced paragraph in Section 4.3.1 has been expanded as follows to explain why Hellfire missile training would not adversely affect wildlife resources:

"Hellfire missile training would not adversely affect biological resources. Hellfire missile training would occur in existing impact areas that are already highly disturbed with limited vegetation and limited opportunities for wildlife foraging. Effects from Hellfire missiles would be similar to those from ordnance that is already fired from helicopters in these areas with some frequency."

Response to Comment 2-21. The text of Section 4.3.1, Biological Resources, has been expanded as follows to include information on noise impacts to wildlife resources as a result of the actions proposed in the EIS:

"*Noise*. Wildlife may be affected by noise from proposed activities, including high altitude weapons delivery training, Hellfire missile training, and generator use at EW sites. Actions on the training ranges would not produce a noticeable difference in the existing noise levels and would therefore not have any new effects to area wildlife. Generator use may produce startle effects in the area of EW sites, but this would be a temporary effect."

Response to Comment 2-22. Restricted area airspace does extend to the ground as stated, though the Navy has agreed through a memorandum of understanding that they will not fly below 3,000 feet above ground level over the agreed upon refuges and management area. The text of Section 5.2.2 has been revised as suggested to indicate that should the Stillwater NWR boundary be expanded, the 3,000-foot above ground level restriction would continue to apply to the lands within the existing Stillwater NWR per the 1987 memorandum of understanding.

Response to Comment 2-23. The text of Section 5.3.3 has been modified as suggested.

Response to Comment 2-24. The text of Section 5.3.10 has been modified as suggested.

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT 1 AM 11:06

United States Department of the Interior

FISH AND WILDLIFE SERVICE

NEVADA FISH AND WILDLIFE OFFICE
1340 FINANCIAL BOULEVARD, SUITE 234
RENO, NEVADA 89502-7147

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT - 1 AM 11:

September 28, 1999
File No. BLM 5-11, Nav 2

Memorandum

To: District Manager, Carson City Field Office, Bureau of Land Management, Carson City, Nevada (Attn: Teri Knutson)

From: Field Supervisor, Nevada Fish and Wildlife Office, Reno, Nevada

Subject: Draft Environmental Impact Statement for the Fallon Range Training Complex Requirements

The Fish and Wildlife Service (Nevada Fish and Wildlife Office and Stillwater National Wildlife Refuge Complex) has reviewed the August 1999 Draft Environmental Impact Statement (DEIS) for Fallon Range Training Complex (FRTC) Requirements. The proposed project would develop electronic warfare sites on public and Navy-administered lands, four tracking instrumentation subsystem remote sites on public lands, fiber optic cable routes from the air station to the B-16 and B-19 training ranges, and helicopter gunnery ranges on B-17 and B-19. The Navy also would increase training on Navy-administered lands in Dixie Valley, revise the operating hours of the Reno Military Operations Area, and raise the ceiling of restricted area airspace to allow for high altitude weapons delivery training at B-17 and B-20.

The FTRC includes a training range (B-20), military operations area (Reno MOA), and associated airspace over or adjacent to three National Wildlife Refuges (NWR) (Stillwater, Fallon, and Anaho Island) within the Stillwater NWR Complex, and the Stillwater Wildlife Management Area which is also managed by the Stillwater NWR Complex. The following comments are provided for your consideration in preparing a Final Environmental Impact Statement (FEIS).

District Manager

File No. BLM 5-11, Nav 2

GENERAL COMMENTS

The FEIS should include statements regarding the existing Memorandum of Understanding (MOU) signed in 1987 by the Navy, Department of Interior (Bureau of Land Management and Fish and Wildlife Service), and the State of Nevada on the Fallon Special Use Airspace. The MOU acknowledges that flights over the Stillwater Wildlife Management Area, Stillwater NWR, and Fallon NWR (depicted on the map attached to the MOU as the Stillwater Wildlife Management Area), as well as other wetland habitats in the Lahontan Valley, will not be conducted below 3,000 feet above ground level (AGL) to avoid adverse impacts on wildlife. This minimum altitude restriction is part of baseline conditions and should be mentioned in the restricted airspace section on page 1-10, or other appropriate location. Changes to this MOU are being considered, but the restrictions are anticipated to remain in place. As mentioned in the cumulative impacts section of the DEIS, should the boundary revisions being considered for Stillwater NWR Complex (which extend the refuge to within 1 mile of B-20) be approved, the Service will allow continued use of the existing approach to B-20 below 3,000 feet AGL.

SPECIFIC COMMENTS

EXECUTIVE SUMMARY

Location of NAS Fallon and the FRTC, page ES-1: Washoe County should be added to the list of counties within FRTC airspace. Washoe County should also be included in the county list in section 1.3, Location of Mission of NAS Fallon and the FRTC, page 1-4.

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.2.1 Proposed Action, page 2-2: The FEIS should describe the land modifications under the proposed action at mobile EW sites and the equipment to be deployed at those sites.

2.2.1 Proposed Action, Hellfire Missile Training, page 2-10: The FEIS should discuss the altitude at which training takes place and the probability of missiles missing targets and landing outside B-20.

2.2.1 Proposed Action, High Altitude Weapons Delivery, page 2-10: The FEIS should compare impact noise and vibrations from proposed activities with those resulting from weapons deliveries using existing altitudes.

2.2.1 Proposed Action, Special Use Airspace Configuration Adjustments, page 2-14: The FEIS should state when and why the hours of operation for the Reno MOA under NOTAM would fall outside of the Monday through Friday, 8:00 a.m. to 6:00 p.m., normal training schedule.

3.0 AFFECTED ENVIRONMENT

3.1.1 Regional Land Use Status and Use, page 3-2: Gerlach and Empire, Washoe County, should be added as population centers within the ROI.

3.1.1 Regional Land Use Status and Use, Other Land Status and Use, US Fish and Wildlife Service, page 3-2: Please add the following statement: The Reno MOA is located approximately 13 nautical miles north of Anaho Island NWR.

3.2.1 Description of Project-specific FRTC Airspace, Restricted Areas, R-4802 and R-4813, page 3-5: Statement about "flight activities being limited to 3,000 feet AGL over Fallon NWR" should be modified by deleting "Fallon NWR" and inserting "the Stillwater Wildlife Management Area as depicted in the map attached to the 1987 MOU."

3.3 Biological Resources, page.3-8: This section makes no mention of the general habitat/wildlife resources (i.e. extensive wetlands used by thousands of migratory waterfowl) under the flight areas but only discusses those resources at the specific sites where new construction will take place within NAS Fallon lands. Table F-2 does however include an extensive list of wildlife, including waterfowl and other birds, which would be found throughout the wetlands of Lahontan Valley. A more detailed discussion of the wildlife resources in the area should be included.

3.3.1 Threatened and Endangered Species, page 3-8; Table 3-2, page 3-9: The peregrine falcon was removed from the Federal list of endangered and threatened wildlife on August 25, 1999.

3.3.1 Threatened and Endangered Species, page 3-11: The term "nesting habitat" should be changed to "nursery habitat."

3.3.2 Vegetation, B-17, B-19, and Dixie Valley, page 3-14; Wetland Habitats, page 15: The FEIS should also discuss the location of wetland habitats by specific range or landholding. B-20 should also be included in the discussion.

3.3.2 Vegetation, B-17, B-19, and Dixie Valley, page 3-16: The FEIS should also discuss the location of wildlife by specific range or landholding. B-20 should also be included in the discussion.

3.3.4 Wetlands and Other Waters of the US, B-17, B-19, and Dixie Valley, page 3-17: The DEIS states that jurisdictional wetlands may be present on B-17 and B-19 training ranges and that no jurisdictional delineation has been conducted. The DEIS states that prior to dredging or filling wetlands, a jurisdictional wetland delineation should be certified by the US Army

Letter 3 (cont'd)

District Manager File No. BLM 5-11, Nav 2

Corps of Engineers (COE) and appropriate permits obtained under Section 404 of the Clean Water Act and Section10 of the Rivers and Harbors Act. The FEIS should discuss how often ordinance releases occur in areas which may be jurisdictional wetlands. Additionally, Mitigation Measures, page 4-7, states that the ranges and the fiber optic cable route would be surveyed for wetlands prior to any activities taking place. The FEIS should clearly state what "any activities taking place" means. Do such activities include high altitude weapons delivery, hellfire missile use, helicopter gunnery training, and ground target construction? The FEIS should clearly state where these activities will be performed in relation to possible jurisdictional wetlands and if any COE permits will be necessary.

3.5.2 Site-specific Hydrologic Conditions, Training Ranges and Dixie Valley Area, page 3-20: The description of hydrologic conditions in the ranges and Dixie Valley should include seasonal water bodies, and areas which have water present during wet hydrologic conditions.

3.13 Noise, page 3-32: The Noise terminology section gives a general scale from quiet to uncomfortable. Is this how noise affects the average human? This document should also include wildlife response to noise, since wildlife refuges are listed as a sensitive noise receptor.

4.0 ENVIRONMENTAL CONSEQUENCES

4.3.1 Proposed Action, EW Site Development, page 4-6: We suggest the term "migratory periods" be replaced with "avian breeding season."

4.3.1 Proposed Action, B-17 and B-19 Target Development and Training, page 4-7: We suggest the term "nonsensitive" not be used in the FEIS when describing impacts to wildlife. The FEIS should clearly state what wildlife species may be expected to be directly killed. Migratory birds are protected under the Migratory Bird Treaty Act (15 U.S.C. 701-718h).

4.3.1 Proposed Action, Special Use Airspace, Hellfire Missile Training, and High Altitude Weapons Delivery Training, page 4-7: Page 3-16, somewhat describes the wildlife present on ranges where hellfire missile training activities will take place. The DEIS states that biological resources would not be adversely affected by hellfire missile training. The FEIS should clearly describe why missile training will not destroy vegetation or habitat, and why it will not indirectly or directly affect wildlife.

4.13 NOISE, 4.13.1 Proposed Action, Impacts, page 4-20: Training Operations and Special Use Airspace sections both state that there are no or few sensitive receptors in these areas. Wildlife refuges are identified in the DEIS as sensitive receptors and are located under the airspace and in the vicinity of B-20. The noise impacts to wildlife should be addressed, in addition to just human impacts.

Letter 3 (cont'd)

District Manager

File No. BLM 5-11, Nav 2

5.0 CUMULATIVE IMPACTS

5.2.2. Description of other proposed and reasonably foreseeable actions, page 5-5: *Expansion of SNWR* section states that restricted area airspace (R4813) over and around B-20 currently extends to the ground. This is true outside the existing boundaries of the NWR, but there is a 3,000 foot AGL restriction over the refuges & management area per the existing MOU. Should the boundary of Stillwater NWR be expanded, the 3,000 foot AGL restriction would continue to apply to the lands within the Stillwater Wildlife Management Area as depicted on the map attached to the 1987 MOU.

5.3.3. Biological Resources, page 5-6: The following sentence (third to last sentence in paragraph) should be modified by inserting the word in italics: The *boundary revisions being considered for* the Stillwater NWR also would benefit biological resources.

5.3.10: Recreation page 5-8: The following sentence (last in the paragraph) should be modified by inserting the word in italics: ...., as would the *boundary revisions currently being considered* for the Stillwater NWR.

We appreciate the opportunity to provide comments on the DEIS. If you have any questions, please contact Jim Harvey at (775) 861-6300 or Donna Withers at Stillwater NWR at (775) 423-5128.

Robert D. Williams

cc:
Administrator, Nevada Division of Environmental Protection, Carson City, Nevada
State Director, Bureau of Land Management, Reno, Nevada
Chief, Nevada Field Office, U.S. Army Corps Of Engineers, Reno, Nevada
Refuge Manager, Stillwater National Wildlife Refuge, Fallon, Nevada
Manager, California/Nevada Operations Office, U.S. Fish and Wildlife Service, Sacramento, California (Attn: Dan Walsworth)

The Fish and Wildlife Service submitted comments on the Draft EIS directly to the BLM project manager. Fish and Wildlife Service comments also were submitted by the US Department of the Interior, Office of the Secretary, Office of Environmental Policy and Compliance (Letter 2). Responses to Fish and Wildlife Service comments are contained in response to Letter 2.

Letter 4

Chuck O'Rourke@BIA
11/10/99 04:19 PM

To: Terri Knutson/CCFO/NV/BLM/DOI@BLM
cc:

Subject: Comments Draft EIS--Proposed Fallon Range Training Complex Requirements Naval Air Station Fallon, Nevada

The Bureau of Indian Affairs, Western Nevada Agency, has reviewed the above referenced Draft Environmental Impact Statement. Our comments are as follows:

Continue consultation with affected Tribes in Nevada on cultural resource and religious issues/concerns. **4-1**

We have concerns pertaining to the development of a rough terrain helicopter gunnery target on the B-19 Training Range. As you are aware B-19 shares a common border with the Walker River Paiute Reservation. The Tribe has expressed concerns in the past with the activity on B-19 which have directly and indirectly impacted tribal trust lands. Livestock grazing is the primary use of lands adjacent to B-19. In section 4.13 of the document it states "No significant noise impacts to the Walker River Indian Reservation are expected since no increase in flight operations would occur as a result of the proposed action". What are or will be the effects of increased helicopter noise, including gun noise, on grazing livestock near the B-19 Training Range, especially pregnant and/or lactating livestock? According to reports from the Tribe, livestock owners have not been able to utilize this area do to the Navy's activity. **4-2**

If you have any questions please feel to contact me.

Response to Comment 4-1. Consultation with affected tribes about cultural resources and religious issues and concerns is ongoing pursuant to the requirements of Section 106 of the National Historic Preservation Act.

Response to Comment 4-2. Section 4.13.1 has been revised as follows:

"Helicopter gunnery operations would result in slight increases in noise from helicopter operations and gun fire. These slight increases would not change the overall noise environment at the B-17 or B-19 training ranges; therefore, these operations would not affect adjacent land uses."

Letter 5

U.S. Department of Transportation
Federal Aviation Administration

Western-Pacific Region
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

P.O. Box 92007
Worldway Postal Center
Los Angeles, CA 90009

1999 SEP 15 AM 11:38

SEP 10 1999

Ms. Terri Knutson
EIS Project Manager, Bureau of
Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Dear Ms. Knutson:

We have completed a careful review of the August 1999 Draft Environmental Impact Statement for the proposed Fallon Range Training Complex requirements, at Fallon, Nevada. The draft document appears to conform to the requirements of the National Environmental Policy Act and Federal Aviation Administration regulations. The following comment is provided:

Page 4-20, Special Use Airspace: Delete the first sentence of the second paragraph and insert the following. Adjusting the hours of operation of the Reno MOA from the current 10:00 AM to 6:00 PM, Tuesday through Saturday, to 8:00 AM to 6:00 PM, Monday through Friday, would not result in significant noise impacts. 5-1

We appreciate the opportunity to review and comment on this document. If you have any questions, please contact Mr. Charles Lieber, Environmental Specialist, at (310) 725-6535.

Sincerely,

Leonard A. Mobley
Manager, Airspace Branch
Air Traffic Division

Letter 5
Leonard A. Mobley, US Department of Transportation, Federal Aviation Administration, Western-Pacific Region

Response to Comment 5-1. The text of Section 4.13.1 has been revised as suggested.

Letter 6

Yomba Shoshone Tribe

HC 61 Box 6275
Austin, NV 89310-9301
Tel (775) 964-2463
Fax (775) 964-2443

Oct. 21, 1999

Ms. Terri Knutson, EIS ProjectManager
Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701

Subject: DEIS PROPOSED FALLON TRAINING COMPLEX REQUIREMENTS
NAVAL AIR STATION FALLON, NEVADA

Dear John,

I would like to thank you for obliging our request for an additional 30 days. These are the comments of the Yomba Shoshone Tribe:

1. On the following maps starting from Figure 1-2, 1-5, 2-1, 2-7, 2-11, 2-12, 3-2, there is not evidence of the Yomba Shoshone Reservation mentioned on the map. This maybe an "minor oversight", but we find this disrespectful to our tribe, as for we are one of the important players in this EIS that the Navy wishes to complete. **6-1**

2. Chapter 2

2.2 Proposed Actions. The Yomba Shoshone Tribe do not agree with the proposed action or Alternatives I,II, or III. In each of the case, the Yomba's Cultural Resources person(Maurice Frank-Churchill), and the traditional Western Shoshone spiritual leader (Corbin Harney) have visited the four proposed sited for the EW sites and have made their recommendations. Again I will reiterate on the proposed sites. Ravenswood Peak-this site is picked as a TCP and the Western Shoshone do not want it disturbed. Also on a previous visit by James Birchim and Maurice Frank, this site was recommended as a Sacred Site, and with a cultural significant because of the wood ants in the area, which is also important to our culture. Also personal communication with Mr. Harney, this same type of ants was the reason for his survival and his presence with us today. A high peak on the south of Highway 50, Mr. Harney and Mr. Frank-Churchill recommended that the site be located to an existing site on Mt. Callahan. An unnamed butte was visited and not selected because of the close proximity of Iron Mountain. Vigus Butte was recommended as a proposed site, and with a second meeting with the council on this site, the council opted not to recommend as an EW Site. This is in site and close proximity of Iron Mountain, which is recognized as a TCP and also a Region of Refuge, which is eligible under Bulletin 38 as a National Registry of Historic Places. With the site near Iron Mountain, the visual aesthetics is detrimental to Iron Mountain. **6-2**

As we discuss further about mobile EW sites, we strongly recommend that no mobile EW site be placed in Smith Creek Valley. The valley is still used by our people as a traditional hunting

Response to Comment 6-1. The Yomba Shoshone Reservation has been added to the base map of the figures in the EIS.

Response to Comment 6-2. The mountain peaks chosen for tracking instrumentation subsystem (TIS) sites in the Draft EIS (referred to as EW sites in the comment letter) were identified in cooperation with representatives of the Yomba Shoshone Tribe during a site visit on July 21, 1998. One TIS site, TIS-49, has been relocated in the Final EIS to one of two existing non-Navy communication sites in north Dixie Valley as a result of Native American consultation.

As small graded areas along existing roadways that are only temporarily occupied, there is no evidence that mobile EW sites in Smith Creek Valley would have an effect on traditional hunting or on sacred hot springs. No specific information has been forthcoming to suggest proposed site locations in Big Smoky Valley and Gabbs Valley are not suitable. Input from the tribe on proposed and alternate EW site locations was solicited early in the EIS process.

Categorical exclusions referenced in the EIS were for minor actions determined to be categorically excluded from full NEPA analysis pursuant to Navy guidelines on implementing NEPA. Larger actions and actions proposed on public lands are the subject of full NEPA analysis in this EIS. Native American concerns have been solicited and considered throughout the EIS process pursuant to Section 106 requirements.

Actions proposed outside of existing Navy-administered lands, including lands in Dixie Valley, cannot be performed on Navy lands for the reasons outlined in Section 1.2 of the EIS.

Letter 6 (cont'd)

area and also there is a sacred hot spring where the mud is used for healing purposes.

Smokey Valley site that is proposed have not been visited by the Yomba cultural resources people to see if the proposed site is acceptable. With not site visit, we oppose the building of an EW site in Smokey Valley.

Proposed sites in Gabbs Valley also have not been visited by the Yomba Cultural resources people, and again we oppose any sites in Gabbs Valley. In areas if Gabbs Valley, there a cultural significant sites in the valley.

My other question is how does the Navy get away without adhering to the NEPA process, the EIS process, with many CX's in this document, not or very little Section 106, no or limited regard to the Nevada SHPO recommendation. With no respect to laws, mandates, or Executive Orders, how will the Navy plan to be in compliance? I view the Navy as a hostile arm of the Department of Defense with no regard to US Laws that all government agencies, entities have to obey.

The Yomba Shoshone Tribe however do agree with the no action alternative, with Dixie Valley already purchased and the ranchers removed from their way of life, now why does the Navy not use this land that was purchased for their use? The Navy has ownership to this land, and we recommend that the Navy use their existing training land in Dixie Valley. **6-2 (cont'd)**

Chapter 3 Affected Environment

3.1.2. I have made comments to this in the Chapter 2.

3.3.3. Wildlife. The Western Shoshone people still use areas in the Clan Alpine range, the Desatoya mountains to hunt game during their traditional seasons, what will the access and the affect of the animals have with the EW sites? **6-3**

3.6.1. This does not address cultural resource sites, regions of refuge, sacred sites, areas of aesthetic significant to the Western Shoshone people, not to mention hunting areas, plant gathering areas, and healing areas. Archeologists look for areas that are "tangible" and areas that can be counted as such, but what about the views and concerns of the Native American people?

3.6.2. No culturally significant sites? What about the Sec. 106 that mandates Native American consultation? What about "Government-to-Government mandates by President Clinton? There has been not Sec. 106 in regard to site specific areas, and therefore, the Yomba Shoshone Tribe opposes any EW or TIS sites in any of the sites chosen by the Navy which includes, Edwards Creek Valley, Gabbs Valley, Big Smokey Valley, Smith Creek Valley, or Reese River Valley for that matter. **6-4**

3.8.1 Visual Characters

Again there has been no Sec. 106 in regard to visual aesthetics to the proposed areas and valleys.

3.9. Environmental Justice and Socioenomics

This section addresses towns and reservations? Is that addressing Environmental Justice. What do the Indian Tribes and Reservations that are impacted by these flyovers? Just noise? What about the impacts? EJ has to be addressed more in depth than just sugar coating and making mention of it. Also the Yomba reservation is located in Nye County? Has Nye County been contacted in regard to EJ concerns? If we go by the population percentages, the Native people do not qualify, and I believe that the Native people are a distinct entity all in their unique setting and with their own government and functioning as a "nation within a nation". And they should be treated as such. **6-5**

Response to Comment 6-3. No EW sites are proposed in mountain ranges; EW sites would be located on valley floors. The four proposed TIS sites would be located in mountain ranges but would have no known effect on hunting or wildlife. TIS sites would be small unfenced sites that would have no road access or powerlines (Section 2.1.1).

Response to Comment 6-4. Native American concerns have been solicited and considered from the beginning of the EIS process through letters, phone contacts, and site visits. Yomba tribal leaders and spiritual leaders have been involved in the site location process for TIS sites and were given the opportunity to comment on proposed and alternate EW sites. These efforts all contribute to the consultation process. Also, as a cooperating agency in the EIS, the Yomba Shoshone Tribe has had a unique opportunity for input. Section 106 consultation has been initiated and is ongoing.

Response to Comment 6-5. As discussed in Section 3.9, Native Americans are identified as a minority population in the region of influence that are included in environmental justice analysis. Section 4.9 identified no impacts to minority populations since the proposed action and alternatives would not have disproportionate economic or environmental effects.

Letter 6 (cont'd)

Chapter 4 Environmental Consequences
4.6.2. Impacts, Sec. 106 when the appropriate time comes. It would make more sense to take care of the Sec. 106 before the sites are built. This process would save a lot of time and money for the Navy. **6-6**

Chapter 5 Cumulative Impacts
5.3.6. Cultural Resources In the report there is mention that there has been damage to cultural resources in the past. To what extent of damage has occurred? Has there been ARPA violations? And were fines assessed? The response is too generic, but each site specific has to be addressed. **6-7**
5.3.7. Native American Concerns The report mentions Native American concerns about mountain tops, as with the sites that are proposed sites, with Mr. Harney's recommendations of having cultural significant, what are the Navy's mitigation measures? I believe as I have said earlier that the Navy and the BLM have to be more concise in their EIS and its process. As with any religion, there is no mitigation measures or a negotiation point in one's religious belief. **6-8**
In closing, the EIS is inadequate in the technical reporting and addressing concerns.

Sincerely,
Maurice Frank-Churchill
Maurice Frank-Churchill
Tribal Resources Manager

Response to Comment 6-6. Pursuant to Section 106 requirements, consultation must and will be completed prior to publishing a Record of Decision and implementing an action.

Response to Comment 6-7. Section 5.3.6 refers to impacts to cultural resources that have occurred prior to the passage of laws to protect such resources; quantification of all such impacts is not possible.

Response to Comment 6-8. The Native American consultation process has been ongoing during preparation of this EIS. Sites delineated in the Draft EIS were chosen based on representative's input during a site visit on July 21, 1998, and in the Final EIS one TIS site has been relocated as a result of continuing Native American consultation. No need for additional mitigation measures has been identified. As discussed in Section 2.4, Alternatives Considered but Eliminated, all other potential TIS sites were eliminated during consultation with tribal representatives or because of technical limitations.

Letter 7

NOTICE

The Bureau of Land Management and the U.S. Department of the Navy are hereby notified that portions of land discussed in the draft Environmental Impact Statement of August 1999 for the proposed Fallon Range Training Complex NAS Fallon, Nevada are within the territory of the Western Shoshone Nation.

The 1863 Treaty of Ruby Valley is in full force and effect. The Ninth Circuit Court (1985) has ruled that land title has never been litigated. 7-1

You have no jurisdiction on Western Shoshone land. You must hold negotiations with the Traditional Government of the Western Shoshone Nation.

Contact:
The Western Shoshone National Council
PO Box 210
aka Indian Springs, NV 89018
Newe Sogobia

Johnnie L. Bobb
Western Shoshone National Council Member

Oct. 13, 1999
Date

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT 18 PM 12:47

Letter 7
Johnnie Bobb, Western Shoshone National Council

Response to Comment 7-1. The commenter's statements are noted. Concerns regarding the Ruby Valley Treaty and Western Shoshone land claims are beyond the scope of this EIS.

Letter 8

KENNY C. GUINN
Governor

STATE OF NEVADA

JOHN P. COMEAUX
Director

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT 12 PM 1:05

DEPARTMENT OF ADMINISTRATION
209 E. Musser Street, Room 200
Carson City, Nevada 89701-4298
Fax (775) 684-0260
(775) 684-0222

October 8, 1999

Ms. Terri Knutson
EIS Project Manager
Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City NV 89701

Re: SAI NV # E2000-018

Project: Draft EIS for the Proposed Fallon Range Training Complex Requirements, Naval Air Station Fallon

Dear Ms. Knutson:

Enclosed are the comments from the Nevada Divisions of State Lands and Water Resources and from the State Historic Preservation Office concerning the above referenced report. These comments constitute the State Clearinghouse review of this proposal as per Executive Order 12372. Please address these comments or concerns in your final decision. If you have questions, please contact me at 684-0209. **8-1**

Sincerely,

Heather K. Elliott

Heather K. Elliott
Nevada State Clearinghouse/SPOC

Letter 8
Heather K. Elliott, State of Nevada, Department of Administration

Response to Comment 8-1. Responses to comments from the State Historic Preservation Office, Department of Water Resources, and Division of State Lands are provided in response to Letters 9, 10, and 11, respectively.

STATE OF NEVADA
DEPARTMENT OF MUSEUMS, LIBRARY AND ARTS
STATE HISTORIC PRESERVATION OFFICE
100 N. Stewart Street
Carson City, Nevada 89701-4285

KENNY C. GUINN
Governor

DALE A.R. ERQUIAGA
Acting Department Director

RONALD M. JAMES
State Historic Preservation Officer

Letter 9

October 7, 1999

RECEIVED
OCT - 8 1999
DEPT OF ADMINISTRATION
DIRECTOR'S OFFICE

Ms. Terri Knutson
EIS Project Manager
Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City NV 89701

RE: Draft EIS for the Proposed Fallon Range Training Complex Requirements, Naval Air Station Fallon.

Nevada SAI #: E2000-018

Dear Ms. Knutson:

The Nevada State Historic Preservation Office (SHPO) reviewed the subject document. The discussion of cultural resources in this document is so brief and uninformative that this office is unable to comment on the agency's discussion of the affected environment, environmental consequences, and cumulative impacts. **9-1**

The SHPO supports the agency's efforts to coordinate their activities with major organized events along the Pony Express National Historic Trail (4.10.1) in order to avoid hazardous conflicts. The SHPO recommends continued consultation with the National Pony Express Association, the Oregon-California Trails Association, and other organizations interested in the preservation of historic trails. The SHPO recommends that the final document address the concerns of the National Pony Express Association found in the attached letter.

The SHPO suggests that the Summary of Adverse Impacts and Mitigations (4.15) should indicate that if historic properties eligible under criteria A-C are present in the area of potential effect (such as historic trails, ranch sites, or traditional cultural properties), the adverse impacts from the undertaking might not be mitigated by avoidance, data recovery, or construction monitoring. However, the suggestion for public interpretation made by Mr. Ryan could become part a proposed treatment plan for some of these historic properties. **9-2**

Response to Comment 9-1. Section 3.6 of the Draft EIS provided an overview of the cultural resources present in the project area at a level of detail intended to inform the public of the general types of resources that could be affected by the proposed action and alternatives. Detailed information can be found in the technical report submitted to the State Historic Preservation Office for Section 106 consultation. Section 4.6 described the potential effects of the proposed action and alternatives on the cultural resources. Consultation with the State Historic Preservation Office has been in progress during preparation of the EIS, and all consultation will be completed by publication of the Record of Decision.

Response to Comment 9-2. As discussed in Section 4.10.1, the actions evaluated in the EIS would not affect the Pony Express National Historic Trail. The Navy has initiated meetings with the National Pony Express Association to investigate further ways to coordinate Navy actions with use of the trail.

Letter 9 (cont'd)

Ms. Terri Knutson
October 7, 1999
Page 2 of 2

Please correct the mistake in Section 3.7. The "National Historic Prehistoric Act" should be National Historic Preservation Act of 1966, as amended. **9-3**

If you have any questions concerning this correspondence, please contact me by phone at (775) 684-3443 or by e-mail at rlpalmer@clan.lib.nv.us.

Sincerely,

Rebecca Lynn Palmer
Historic Preservation Specialist

Letter 9
Rebecca Lynn Palmer, State of Nevada, Department of Museums, Library and Art, State Historic Preservation Office

Response to Comment 9-3. The text of Section 3.7 has been revised as suggested.

NEVADA STATE CLEARINGHOUSE

Department of Administration
Budget and Planning Division
209 East Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0209
fax (775) 684-0260

Letter 10

DATE: August 9, 1999

Governor's Office
Agency for Nuclear Projects
Agriculture
Business & Industry
Energy
Minerals
Economic Development
Tourism
Fire Marshal
Human Resources
Aging Services
Health Division
Indian Commission
Colorado River Commission

Legislative Counsel Bureau
Information Technology
Emp. Training & Rehab Research Div.
PUC
Transportation
UNR Bureau of Mines
UNR Library
UNLV Library
Historic Preservation
Emergency Management
Washington Office
Nevada Assoc. of Counties
Nevada League of Cities

Conservation-Natural Resources
Director's Office
State Lands
Environmental Protection (2)
Forestry
Wildlife
Region 1
Region 2
Region 3
Conservation Districts
State Parks
Water Resources
Water Planning
Natural Heritage
Wild Horse Commission

Nevada SAI # E2000-018
Project: Draft EIS for the NAS Fallon Range Training Complex Requirements
NOTE: BLM indicates it sent to: NDOA, NDOM, LANDS, HEALTH, SHPO, NDOT, NDOW, NDEP, PARKS, NDWP, NDWR, INDIAN, LCB, NNHP & PUC.

___Yes ___No Send more information on this project as it becomes available.

CLEARINGHOUSE NOTES:
Enclosed, for your review and comment, is a copy of the above mentioned project. Please evaluate it with respect to its effect on your plans and programs, the importance of its contribution to state and/or local areawide goals and objectives; and its accord with any applicable laws, orders or regulations with which you are familiar.

Please submit your comments no later than October 8,1999. Use the space below for short comments. If significant comments are provided, please use agency letterhead and include the Nevada SAI number and comment due date for our reference. Questions? Heather Elliott, 684-0209.

THIS SECTION TO BE COMPLETED BY REVIEW AGENCY:

___No comment on this project
___Proposal supported as written
___Additional information below
___Conference desired (See below)
___Conditional support (See below)
___Disapproval (Explain below)

AGENCY COMMENTS:

Before water is diverted from any well, the appropriator must make application to and obtain from the state engineer a permit to appropriate water in accordance with the provisions of Chapter 533 of the Nevada Revised Statutes (NRS). An environmental permit to appropriate the waters of the state of Nevada must be approved by the state engineer prior to the diversion of any waters for remediation purposes. If any structure impounds more than 20 acre-feet of water or has a dam height of 20 feet or higher, you will be required to obtain a dam permit pursuant to NRS 535. All non-permitted wells must be properly plugged and abandoned by a Nevada licensed well driller. All Nevada water laws must receive full compliance. **10-1**

Timothy E. Weber — Signature
s:\shardat\clear\clear.doc
NDWR — Agency
9/13/99 — Date

Response to Comment 10-1. Under the proposed action and alternatives evaluated in the EIS, no water would be diverted from any well, no water would be impounded, and no dams would be constructed.

NEVADA STATE CLEARINGHOUSE

Department of Administration
Budget and Planning Division
209 East Musser Street, Room 200
Carson City, Nevada 89701-4298
(775) 684-0209
fax (775) 684-0260

RECEIVED
OCT - 8 1999
DEPT OF ADMINISTRATION
DIRECTOR'S OFFICE

Letter 11

DATE: August 9, 1999

DIVISION OF STATE LANDS
99 AUG 10 P2:54

Governor's Office
Agency for Nuclear Projects
Agriculture
Business & Industry
Energy
Minerals
Economic Development
Tourism
Fire Marshal
Human Resources
Aging Services
Health Division
Indian Commission
Colorado River Commission

Legislative Counsel Bureau
Information Technology
Emp. Training & Rehab Research Div.
PUC
Transportation
UNR Bureau of Mines
UNR Library
UNLV Library
Historic Preservation
Emergency Management
Washington Office
Nevada Assoc. of Counties
Nevada League of Cities

Conservation-Natural Resources
Director's Office
State Lands
Environmental Protection (2)
Forestry
Wildlife
Region 1
Region 2
Region 3
Conservation Districts
State Parks
Water Resources
Water Planning
Natural Heritage
Wild Horse Commission

Nevada SAI # E2000-018
Project: Draft EIS for the NAS Fallon Range Training Complex Requirements
NOTE: BLM indicates it sent to: NDOA, NDOM, LANDS, HEALTH, SHPO, NDOT, NDOW, NDEP, PARKS, NDWP, NDWR, INDIAN, LCB, NNHP & PUC.

__ Yes __ No Send more information on this project as it becomes available.

CLEARINGHOUSE NOTES:
Enclosed, for your review and comment, is a copy of the above mentioned project. Please evaluate it with respect to its effect on your plans and programs; the importance of its contribution to state and/or local areawide goals and objectives; and its accord with any applicable laws, orders or regulations with which you are familiar.

Please submit your comments no later than October 8,1999. Use the space below for short comments. If significant comments are provided, please use agency letterhead and include the Nevada SAI number and comment due date for our reference. Questions? Heather Elliott, 684-0209.

THIS SECTION TO BE COMPLETED BY REVIEW AGENCY:

___No comment on this project
X Proposal supported as written
___Additional information below
___Conference desired (See below)
___Conditional support (See below)
___Disapproval (Explain below)

AGENCY COMMENTS:

This agency has been closely involved in the entire process leading to this DEIS and feel the proposed alternative allows the Navy an activity level appropriate for their training needs without creating significant impacts. We support the proposed action. **11-1**

Signature: [signature] s:\shardat\clear\clear.doc

Agency: STATE LANDS

Date: 10-7-99

Response to Comment 11-1. It is noted that the Division of State Lands had no comments on the Draft EIS and supports the proposal as written.

Letter 12

FAX
(775) 237-6015

TELEPHONE
(775) 237-5262
(775) 237-5641

BOARD OF
EUREKA COUNTY COMMISSIONERS
P.O. BOX 677
EUREKA, NEVADA 89316
October 13, 1999

Bureau of Land Management
Carson City Field Office
Attn: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

Dear Terri,

The Board of Eureka County Commissioners and several department heads have reviewed the DEIS – Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. We are requesting an extension of 30-60 days for the comment period. There are several reasons for this request. First, we have experienced a catastrophic fire year, which has precluded this Board and staff from spending adequate time in reviewing this DEIS. There are numerous complex issues that Eureka County must analyze based on the information in this DEIS. Second, but most important, Navy officials promised this Board information on impacts to commercial flights as well as dates when the Altitude Reservations (ALTRV's) would be in use. We have not yet received this information that is very important to our analysis of impacts and our ultimate support/unsupport of the proposed action.

In general this Board is concerned with what appears to be a disproportionate affect of federal actions on rural Nevada residents. This Board is opposed to any expansion of NAS Fallon that will adversely impact this County.

Specific comments include:

Figure 1-2, Page 1-6 and Figure 1-3, Page 1-11 – While the Diamond and Duckwater ALTRV's are smaller than previously proposed MOA's, they are still very large in size. Individually, these ALTRV's are larger than all but one of the existing MOA's. At recent meetings, Navy personnel led us to believe that these ALTRV's would be much smaller than depicted in these figures. The concern with such a large-scale designation represents a significant federal action that should be subjected to NEPA analysis. Brief mention of ALTRV's in this document is not adequate analysis. Is this an effort to avoid NEPA analysis? **12-1**

October 13, 1999 Letter

Response to Comment 12-1. The information requested has been provided to Eureka County.

As discussed in Section 1.4.2, the Diamond and Duckwater ALTRVs and Smokie ATCAA are FAA-authorized airspace areas that allow the Navy to satisfy long-distance training requirements without formally designating these areas as MOAs that could be scheduled for military use at any time. The Navy requests use of these airspace areas from the FAA, and the FAA releases an area to the Navy only if use of the area would not adversely affect scheduled air traffic, namely commercial air traffic.

The Diamond and Duckwater ALTRVs and Smokie ATCAA are not new airspace areas proposed in this EIS. They were included in Figure 1-3 of the EIS to show interested parties that the Navy no longer has any need for the Diamond, Duckwater, and Smokey MOAs proposed in the Special Nevada Report of 1991. The Diamond and Duckwater ALTRVs and Smokie ATCAA were established August 26, 1996, with the Salt Lake City and Oakland Air Route Traffic Control Centers and have been used by the Navy since this time; any requirements for environmental analysis of use of these areas was completed by the FAA when these temporary use airspace areas were established. Section 1.4.2 of the Final EIS has been expanded to include more information on these airspace areas.

The ALTRVs and ATCAA are not new actions being proposed by the Navy. No new impacts to Eureka County would occur as a result of the proposed action.

Letter 12 (cont'd)

Terri Knutson
October 13, 1999
Page 2

The sections referring to these figures should include additional information. Navy officials at public hearings have suggested that the ALTRV's will only be used for insignificant time periods. This document should state how often ALTRV's will be used as well as the duration of use. Such a discussion needs to be in this document.

The designation of ALTRV's raises an issue with trust. The Navy purchased private land in Dixie Valley to control airspace. The lands in Dixie Valley are now used by the Navy for purposes other than controlling airspace. There is concern that in the future the Navy will seek to change their use of these ALTRV's to other more restrictive uses such as MOA designation. If these figures accurately depict the magnitude of where this permitted use will occur, then this DEIS should be expanded to adequately analyze impacts to Eureka County. **12-1 (cont'd)**

Section 1.4.1, Page 1-12 – The discussion on Altitude Reservations needs to define "short term" in hours or days and "multiple aircraft" in number of planes. Also, please point out who controls, permits and authorized ALTRV's. This section points out there is no foreseeable need for additional MOA designations. Is the Navy side stepping the NEPA process through a FAA permitting process? This section should include discussion on the differences between MOA's, ALTRV's and ATCAA's as well as the future potential to change these designations (i.e. changing ALTRV's to MOA's).

Section 2.1.1, Page 2-2 – This section on airspace requirements should include a discussion of ALTRV's and ATCAA's. These designations are new to many of us and are obviously an important component of the proposed action. **12-2**

Table 2-6, Page 2-29 – The lack of mitigation for the loss of airspace is not adequate if the counties are losing tax base. Why was "minimal impact on commercial air traffic" in the PDEIS changed to "not significant?" If commercial air traffic avoids airspace over Eureka County that means a loss of tax revenues. With declining revenues, the loss of commercial airline tax could be significant to our County. This document does not adequately analyze potential impacts to tax base and this document should include mitigation. **12-3**

Table 2-8, Page 2-29 – The Biological Resources section should include a discussion on migratory birds. The Migratory Bird Treaty Act has an increasing impact on how we do things on federal lands. The Migratory Bird Treaty Act also applies to the Navy and should be the basis for some analysis in this DEIS. **12-4**

Response to Comment 12-2. Because the ALTRVs and ATCAA are not new actions being proposed by the Navy, they have not been added to Chapter 2 of the EIS.

Response to Comment 12-3. Impacts discussed in Chapter 4 of the EIS are summarized in Table 2-6 in Chapter 2. During the analysis of impacts from establishing higher restricted area airspace over existing restricted area airspace, no impacts to commercial air tax were found. The reasons for this are disclosed in Section 4.2.1. For the same reasons presented in this section, use of the Diamond and Duckwater ALTRVs and Smokie ATCAA has not impacted the commercial air tax of Eureka County.

Response to Comment 12-4. The referenced paragraph in Table 2-6 has been revised as follows:

"No effects to threatened and endangered species, to sensitive species, including sage grouse, or to migratory birds. Sites would be resurveyed and no development would occur during mating or nesting periods. . ."

Letter 12 (cont'd)

Terri Knutson
October 13, 1999
Page 3

Table 2-8, Page 2-31 – The column on Environmental Justice should also include a brief statement on whether tax base is lost due to loss of commercial over-flights and the income levels of the residents under ALTRV's and ATTCO's should be compared to income levels in adjacent areas. **12-5**

Section 3.1.2, Page 3-3 – Given the current delineation of the Diamond and Duckwater ALTRV's, this section should include Diamond, Duckwater and Pine Valley in the discussion on site-specific land use.

Section 3.2, Page 3-5 – This section needs to include a discussion on ALTRV's and ATTCO's. These designations were reasonably foreseeable MOA's in the past and are proposed to be an integral part of the proposed action. **12-6**

Section 3.9, Page 3-25, Tables 3-3 and 3-4, Page 3-27 – This population forecast and projections used in this section and tables are flawed and should not be used in this document. The 1998 estimate of 1,640 for the County and 540 for the town indicate some 1,100 people residing outside the town. The 2002 forecast of 2,140 for the County and projection of 1,389 for the town indicate some 751 people residing outside the town. Why the decrease in the number of people living outside the town of Eureka? The population estimate for the year 2000 of 2,100 is also suspect. Midway through 1999 the population of Eureka County is less than 1,700 people. These figures were probably developed with the assumption that Eureka would be within commuting distance of six to eight mines. However, the recent decline in gold prices means only two mines are in commuting distance of Eureka, which means there is no longer a reason for a significant increase in our population. These are poor estimates, projections and forecasts and should not be used in the DEIS. **12-7**

Table 3-5, Page 3-28 – Also, the number of Navy related jobs should be estimated for each county because this DEIS purports beneficial economic impacts in the region.

Also Environmental Justice includes low-income populations. This section of the document should include a comparison if incomes of those living in the affected area to income levels of those who live adjacent to the affected area.

Section 4.3.1, Page 4-10 – See comments for Table 2-8, Page 2-29. **12-8**

Response to Comment 12-5. The following statement has been added to Table 2-6, Environmental Justice and Socioeconomics, and Section 4.9:

"The proposed action would not affect commercial airline tax received by counties under airspace used by NAS Fallon."

The ALTRVs and ATCAA are not a part of this proposed action. As there would be no change in income levels as a result of the proposed action, this information has not been included in the EIS.

Response to Comment 12-6. As discussed above, the ALTRVs and ATCAA are not under Navy control and are not new actions being proposed by the Navy.

Response to Comment 12-7. Forecast data are required to assess the magnitude and intensity of impacts. The state and Bureau of Economic Analysis are generally considered the best source of economic forecast data. We do not have access to all the assumptions and methods used in their forecasts; however, boom-bust cycles are historically common in the region. The following text has been added as a footer to Table 3-3 for Eureka County:

"Based on comments from Eureka County, the 1999 population of Eureka County was less than 1,700, suggesting that forecast estimates are high, possibly as a result of decreased mining activity."

NAS Fallon employment effects are discussed in Section 3.9.2, illustrating that Churchill County benefits the most from military activities.

Regarding income levels, income in Eureka County is comparable to other neighboring counties.

Response to Comment 12-8. As discussed in Section 4.3.1, all sites would be surveyed by a biologist prior to surface disturbance to avoid affecting migratory nesting birds.

Letter 12 (cont'd)

Terri Knutson
October 13, 1999
Page 4

Section 4.9, Page 4-15 – If it is the Navy's policy to address disproportional high and adverse human health or environmental effects on low income populations, then this section should compare the income levels of those who live in the impacted area to income levels in adjacent areas. While military expenditures and job creation may represent a beneficial economic effect, the vast majority of the benefits will be realized by Churchill County. This should be noted in this section. **12-9**

Section 4.13, Page 4-19 – Noise impacts in the Diamond and Duckwater ALTRV's should be analyzed throughout this section. If there will be no noise impacts then please state so. **12-10**

Section 5, Page 5-1 – This chapter should include analysis regarding the establishment of the Diamond and Duckwater ALTRV's and the Smokey ATCAA. Incrementally, federal uses of land and air in Nevada are becoming more dominated by uses that are not acceptable in other areas of the nation. **12-11**

Chapter 6, Page 6-1 – John Balliette is a contractual resource manager for the County's Department of Natural Resources. He is not associated with the school district. **12-12**

Thank you for the opportunity to comment on this DEIS. If the cooperating agencies meet to discuss and address comments, Eureka County will provide representation. Please contact John Balliette (775) 237-6010) or Leonard Fiorenzi (775) 237-5372, if such a meeting is planned.

Sincerely,

Pete Goicoechea
Chairman

PG/lh

Response to Comment 12-9. There are no income discrepancies between affected and non-affected areas; therefore, the issue is not discussed. Section 4.9.1 details the employment increases in affected counties. The following text has been added to the middle of the first paragraph of Section 4.9.1:

". . .and induced employment opportunities. Most of the economic benefits will be realized in Churchill County; however, given the dispersed nature of the sites, other affected counties may benefit from secondary spending."

Response to Comment 12-10. Use of ALTRVs and ATCAAs takes place at or above 18,000 feet above mean sea level, or approximately 14,000 feet above ground level (Section 1.4.2). As such, no noise impacts result from the use of these areas.

Response to Comment 12-11. As discussed above, the ALTRVs and ATCAA are not new actions being proposed by the Navy.

Response to Comment 12-12. Chapter 6 has been revised to show that John Balliette is the contractual resource manager for the county's Department of Natural Resources.

Letter 12 (cont'd)

FAX
(775) 237-6015

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 NOV 15 12:46

TELEPHONE
(775) 237-5262
(775) 237-5641

BOARD OF
EUREKA COUNTY COMMISSIONERS
P.O. BOX 677
EUREKA, NEVADA 89316
November 12, 1999

Bureau of Land Management
Carson City Field Office
Attn: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 NOV 15 P11:12:46

Dear Terri,

The Board of Eureka County Commissioners expresses our thanks for extending the comment period on the Proposed Fallon Range Training Complex Requirements Naval Air Station Fallon, Nevada DEIS. After additional review and staff input, we have the following concerns:

- Navy personnel promised this Board, but failed to provide, dates when the Diamond and Duckwater ALTRV's would be in use. Furthermore, Navy personnel promised, but failed to provide, information on possible NAS Fallon impacts to commercial air traffic over Eureka County. This information is critical for our analyses of local impacts. **12-13**

- The socioeconomic data (especially the population estimates) in Chapter 3 is flawed. The analysis of socioecomonic impacts in Chapters 3 and 4 are inadequate and do not reflect the disproportionate impacts of Fallon NAS on rural Nevada. **12-14**

- We have yet to be convinced that the Navy is not side-stepping the NEPA process by designating previous reasonably foreseeable future MOA's as ALTRV's. The designation of the majority of airspace over Eureka County as ALTRV's is a major federal action. Use of such a large area through FAA permitting does not address the analyses required by NEPA. **12-15**

November 12, 1999 Letter

Response to Comment 12-13. Information on estimated use times of the ALTRVs and ATCAA referenced has been added to Section 1.4.2 as described in response to comment 12-1, above. The response to comment 12-3 discusses the finding of no impacts to commercial air tax.

Response to Comment 12-14. Socioeconomics and environmental justice issues are discussed in response to comments 12-7 and 12-9, above.

Response to Comment 12-15. NEPA analysis of the Diamond and Duckwater ALTRVs and Smokie ATCAA is discussed in response to comment 12-1.

November 12, 1999
Page 2
Terri Knutson

Because of the above, a recommendation has been made to this Board to formally appeal a final decision that does not adequately address these concerns. We look forward to continued opportunities for input and involvement in this process.

Sincerely,

Pete Goicoechea
Chairman

PG/lh

Letter 13

Lander County
Board of Commissioners

November 22, 1999

Terri Knutson
Bureau of Land Management
Carson City Field Office
5656 Morgan Mill Road
Carson City, NV 89701

Dear Terri:

Representatives of Lander County have reviewed the DEIS – Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. The Board of Lander County Commissioners is submitting these comments in hopes that the BLM and Navy will produce a Final EIS which better responds to impact issues and provides the information necessary to render a project decision which maintains or enhances environmental quality and allows for effective mitigation of unavoidable impacts.

At the outset, let me note that it has been reported to me that Eureka County was not provided important information it requested which has constrained local government review of the DEIS. I understand that Navy officials promised to provide Eureka County with information on impacts to commercial flights as well as dates when the proposed Altitude Reservations (ALTRV's) would be in use. It has been reported to me that Eureka County has not received said information, Lander County too intended to use the requested information in reviewing and preparing comments to the DEIS. The Final EIS must effectively address impacts upon commercial flights as well as define dates when Altitude Reservations will be in effect. Absent this information and failure by BLM and the Navy to address other concerns raised in this letter will render the DEIS deficient as a NEPA compliance document.

The following specific comments to the DEIS are offered:

Figure 1-2, Page 1-6 and Figure 1-3, Page 1-11 – The proposed ALTRV's very large in size. Individually, these ALTRV's are larger than all but one of the existing MOA's. The size of these areas raises concerns about cumulative impacts. Coupled with other restrictions imposed by the Air Force in Nevada and other federal regulations which impede ground uses, the cumulative impacts of these federal actions on long-standing land and airspace uses in Lander County must be considered 13-1

The sections referring to these figures should include additional information. Navy officials at public hearings have suggested that the ALTRV's will only be used for

315 South Humboldt Street ⋖ ⋗ Battle Mountain NV 89820
Phone: (775) 635-2885 ⋖ ⋗ Fax: (775) 635-5332

Response to Comment 13-1. The information requested has been provided to Lander County.

The Diamond and Duckwater ALTRVs and Smokie ATCAA are not new airspace areas proposed in this EIS. They were included in Figure 1-3 of the EIS to show interested parties that the Navy no longer has any need for the Diamond, Duckwater, and Smokey MOAs proposed in the Special Nevada Report of 1991. The Diamond and Duckwater ALTRVs and Smokie ATCAA were established August 26, 1996, with the Salt Lake City and Oakland Air Route Traffic Control Centers and have been used by the Navy since this time.

As discussed in Section 1.4.2, the Diamond and Duckwater ALTRVs and Smokie ATCAA are FAA-authorized airspace areas that allow the Navy to satisfy long-distance training requirements without formally designating these areas as MOAs that could be scheduled for military use at any time. The Navy requests use of these airspace areas from the FAA, and the FAA releases an area to the Navy only if use of the area would not adversely affect scheduled air traffic, namely commercial air traffic. Section 1.4.2 of the Final EIS has been expanded to include more information on these airspace areas.

Letter 13 (cont'd)

insignificant time periods. The Final EIS should state how often ALTRV's will be used as well as the duration of use. Seasonal and time-of-day limitations in ALTRV use as a means to mitigate impacts should be considered.

The designation of ALTRV's raises an issue with trust. The Navy purchased private land in Dixie Valley to control airspace. The lands in Dixie Valley are now used by the Navy for purposes other than controlling airspace. There is concern that in the future the Navy will seek to change their use of these ALTRV's to other more restrictive uses such as MOA designation. The Final EIS should make clear the types and nature of any prospective connected actions "ie. designation of MOA's". 13-1 (cont'd)

Section 1.4.1, Page 1-12 – The discussion on Altitude Reservations needs to define "short term" in hours or days and "multiple aircraft" in number of planes. Also, please point out who controls, permits and authorized ALTRV's. This section points out there is no foreseeable need for additional MOA designations. This section should include discussion on the differences between MOA's, ALTRV's and ATCAA's as well as the future potential to change these designations (i.e. changing ALTRV's to MOA's).

Section 2.1.1, Page 2-2 – This section on airspace requirements should include a discussion of ALTRV's and ATCAA's. These designations are new to many of us and are obviously an important component of the proposed action. 13-2

Table 2-6, Page 2-29 – The DESI fails to adequately discuss mitigation for the loss of airspace, particularly as such loss may result in counties losing tax base. Why was "minimal impact on commercial air traffic" in the PDEIS changed to "not significant?" If commercial air traffic avoids airspace over Lander County's a loss of tax revenues will result. The FIES should quantify potential losses in tax revenues from all aspects of the proposed action. 13-3

Table 2-8, Page 2-29 – The Biological Resources section should include a discussion on migratory birds. The Migratory Bird Treaty Act has an increasing impact on how federal lands can be utilized. The Migratory Bird Treaty Act also applies to the Navy and impacts thereto should be considered in this DEIS. 13-4

Table 2-8, Page 2-31 – The column on Environmental Justice should also include a brief statement on whether tax base is lost due to loss of commercial over-flights and the income levels of the residents under ALTRV's and ATTCO's should be compared to income levels in adjacent areas. 13-5

Section 3.2, Page 3-5 – This section needs to include a discussion on ALTRV's and ATTCO's. These designations were reasonably foreseeable MOA's in the past and are proposed to be an integral part of the proposed action. 13-6

315 South Humboldt Street < > Battle Mountain NV 89820
Phone: (775) 635-2885 < > Fax: (775) 635-5332

Response to Comment 13-2. Because the ALTRVs and ATCAA are not new actions being proposed by the Navy, they have not been added to Chapter 2 of the EIS.

Response to Comment 13-3. Impacts discussed in Chapter 4 of the EIS are summarized in Table 2-6 in Chapter 2. During the analysis of impacts from establishing higher restricted area airspace over existing restricted area airspace, no impacts to commercial air tax were found. The reasons for this are disclosed in Section 4.2.1. For the same reasons presented in this section, use of the Diamond and Duckwater ALTRVs and Smokie ATCAA have not impacted the commercial air tax of Lander County.

Response to Comment 13-4. The referenced paragraph in Table 2-6 has been revised as follows:

"No effects to threatened and endangered species, to sensitive species, including sage grouse, or to migratory birds. Sites would be resurveyed and no development would occur during mating or nesting periods. . ."

Response to Comment 13-5. The following statement has been added to Table 2-6, Environmental Justice and Socioeconomics, and Section 4.9:

"The proposed action would not affect commercial airline tax received by counties under airspace used by NAS Fallon."

Response to Comment 13-6. As discussed above, the ALTRVs and ATCAA are not under Navy control and are not new actions being proposed by the Navy.

Letter 13 (cont'd)

Section 3.9, Page 3-25, Tables 3-3 and 3-4, Page 3-27 – The population forecast and projections used in this section and tables appear to be inconsistent with official projections of the Nevada State Demographer. The State Demographer estimates there to have been 944 persons in the Austin Township during 1998. By the year 2002, the Austin Township is forecast to grow to 1,011 persons by the State Demographer. The analysis of population and related impacts need to be reconsidered in the Final EIS. **13-7**

Table 3-5, Page 3-28 – Rather than a collective estimate for the study area, the number of Navy related jobs should be estimated for each county

Environmental Justice includes low-income populations. This section of the document should include a comparison if incomes of those living in the affected area to income levels of those who live adjacent to the affected area.

Section 4.3.1, Page 4-10 – See comments for Table 2-8, Page 2-29. **13-8**

Lander County appreciates the opportunity to comment on the subject DEIS. I trust that these comments will be given serious consideration by BLM and the Navy.

Sincerely,

Cheryl Lyngar

Cheryl Lyngar
Chair

315 South Humboldt Street ≺ ≻ Battle Mountain NV 89820
Phone: (775) 635-2885 ≺ ≻ Fax: (775) 635-5332

Response to Comment 13-7. Population data in Table 3-3 have been revised as suggested.

NAS Fallon employment effects are discussed in Section 3.9.2, illustrating that Churchill County benefits the most from military activities.

Regarding income levels, income in Lander County is comparable to other neighboring counties.

Response to Comment 13-8. As discussed in Section 4.3.1, all sites would be surveyed by a biologist prior to surface disturbance to avoid affecting migratory birds.

Letter 14

LANDER COUNTY SCHOOL DISTRICT

P.O. Box 1300 625 Weaver Avenue
Battle Mountain, Nevada 89820
PH: (775) 635-2886
FAX: (775) 635-5347

BOARD OF TRUSTEES

Carda Burton, President
Jackie Naveran, Clerk
Denise Fortune, Member
Kris Itza, Member
Frank Sullivan, Member
Joan Westover, Member
Ray H. Williams III, Member

Leon Hensley, Superintendent

Public Education ...a sound investment in AMERICA

September 21, 1999

Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701

ATTN: Terri Knutson, EIS Project Manager

The Board of Trustees, Lander County School District, has voted unanimously to support the Navy's proposal to expand and make changes at the Fallon Range Training Complex to meet the training requirements of the Chief of Naval Operations. The sites could provide an economic boost to the community of Austin without causing any significant negative impact. In addition, the board supports the Navy in the need to provide high quality training in the defense of our Nation's interest. 14-1

Sincerely,

E. Leon Hensley, Ed.D.
Superintendent

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 SEP 22 AM 10: 35

Response to Comment 14-1. The Lander County School District Board of Trustees unanimous vote in support of the proposal evaluated in the EIS is noted.

Letter 15

FALLON RANGE TRAINING COMPLEX REQUIREMENTS
DRAFT EIS

NAS FALLON, NEVADA

Comment Card

Please write your comments and suggestions regarding the potential environmental and socioeconomic issues resulting from the proposed action in the space provided below. You may attach additional sheets of paper, as necessary. Comments may be mailed or faxed by October 13, 1999 to: Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, NV 89701, Attn: Terri Knutson, Project Manager. Comments may also be sent via electronic mail to the following address: tknutson@nv.blm.gov or via FAX: (775) 885-6147.

#1 ALTERNATIVE LOOKS THE BEST TO ME

THIS IS GOOD FOR AUSTIN AND I SUPPORT THIS EIS

THE EIS LOOKS GOOD TO ME THE DOCUMENT IS ADEQUATE AND ACCURAT

15-1

RAY H WILLIAMS III — 9-9-99
Name — Date

PO BOX 94 AUSTIN NV 89310
Address

LANDER COUNTY SCHOOL BOARD / AUSTIN SEWER & WATER DEPT
Affiliation (if applicable)

Response to Comment 15-1. The commenter's support of Alternative I is noted.

Letter 16

Response to Comment 16-1. The Navy is not proposing any activity at the Black Rock Desert. The description of the proposed action in the Executive Summary has been reworded to correct the statement.

Sue Weeks <4winds@nevadaadventures.com> on 10/11/99 06:40:02 PM

To: Terri Knutson/CCFO/NV/BLM/DOI@BLM
cc:
Subject Draft EIS - NAS Fallon
:

Terri Knutson, EIS Project Manager
5665 Morgan Mill Road
Carson City, NV 89701

Dear Terri,

Thank you for sending me a copy of the DEIS for the Proposed Fallon Range Training Complex (FRTC) Requirements, Naval Air Station, Fallon, Nevada.

The part of this proposal that concerns us at Friends of the Black Rock is that concerning the Reno MOA, particularly the last 'bullet' under "Proposed Action (Four Valleys-Fixed)" in the 'Executive Summary' (page ES-2). This bullet reads:

"Adjustments to special use airspace would be made to change the use times of the Reno MOA and to allow for high altitude weapons delivery training (new restricted area airspace would be developed over existing restricted area airspace to 35,000 feet above mean se level [flight level (FL) 350])."

I understand from talking with you about this proposal that the above paragraph is "mis-worded" and that the proposal does not in fact propose conducting high altitude weapons training over the Black Rock Desert. I have read the document and studied the illustrations and find that indeed the bulk of the document never suggests these changes. In fact the proposal ONLY seeks to change the use times of the Reno MOA from Tuesday through Saturday 10am to 6pm to Monday through Friday 8am to 6pm.

16-1

Although this change extends the hours by 10 hours a week, we have no real objection to this change.

We do, however, have an objection to the wording in the "Executive Summary". We respectfully request that the Bureau of Land Management ensure that the wording in the "Executive Summary" be corrected before the DEIS is approved, or at the very least ensure that it will be corrected in the final EIS.

We in Nevada have a long history of losing our land to the military, and would be remiss to let such language in the DEIS go through without calling attention to it. As you know, a small loophole such as the wording in the "Executive Summary" is all that it would take for some people in the military to requisition more of our precious wilderness.

The Black Rock Desert and High Rock Canyon areas of northern Nevada are being considered for National Conservation Area status. I dare say that neither Interior Secretary Babbitt, Senator Harry Reid, nor Senator Richard Bryan would approve of this action, if the wording in the

Letter 16 (cont'd)

"Executive Summary". as it is written. was correct.

Please make sure that the "Executive Summary" is corrected to reflect what the proposal is requesting. Thank you very much for your time and for entering these comments into the record.

Sincerely.

Sue Weeks. President
Friends of the Black Rock/High Rock. Inc..

16-1 (cont'd)

Letter 17

PUBLIC RESOURCE ASSOCIATES

1755 E. Plumb Lane, Suite 170, Reno, NV 89502
(702) 786-9955

September 30, 1999

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT -4 PM 2:59

Terri Knutson
EIS Project Manager
5665 Morgan Mill Rd.
Carson City, NV 89701

Dear Terri:

I was sorry to miss the Sept. 23 meeting regarding the DEIS for the Fallon Naval Air Station's Range Training Complex Requirements. The issues have become so complex and so large that it's hard to know what draft we're working on.

I have a number of concerns:

Expansion of the Reno MOA to include more airspace. As you know, the Black Rock Desert in within the boundaries of the Winnemucca Field Office. Are they helping or being consulted on this DEIS? The Black Rock is a high use area for recreationists. Rocketeers currently use this area for sub-space rocket firings. How will these two uses mix? Many WSA's, both recommended and not recommended, will be affected by practice runs--what happens to "solitude"? Will more munitions be allowed to escape in a high recreation use area? How will this affect surface travel on the playa?

17-1

With many, many visitors from California and Nevada, to say nothing of the world which comes for Burning Man, another area that is essentially closed off deprives us of more recreation areas.

The Black Rock Desert is also being proposed as a National Conservation Area by Interior Secretary Babbitt and Senators Reid and Bryan. How will military overflights affect the context of historic trails, historic buildings that may be failing, or the sense of quiet in the desert? Will sonic booms pepper the area?

In general, this is a war--albeit a less lethal war. The military is always on the assault and we are always responding. We've been through these processes so many times only to lose more and more land and airspace to the military. I feel for the people in Central Nevada who are in continual conflict because their lives and lifestyles are consistently disturbed. Those of us who are more urbanites feel we are losing more and more space and quiet in which to get away from city noise and visual pollution.

Billing Address: 414 Mason Street, Suite 802, San Francisco, CA 94102
(415) 392-2818

Committed to the wise use, renewal and conservation of natural resources.

Response to Comment 17-1. The Navy is not proposing any activity at the Black Rock Desert or increases in flight operations, changes to aircraft operations, or changes in airspace designations for the Reno MOA. The description of the proposed action in the Executive Summary has been reworded to correct the statement. Because there would be no changes in operations performed in the Reno MOA, no impacts to recreation would occur.

Letter 17 (cont'd)

I know these comments should have been made during the scoping, but because I don't have a copy of the DEIS, my comments are more general than specific. 17-1 (cont'd)

Thank you for entering these comments into the record. I hope there shall be some response to my questions.

Sincerely,

Susan Lynn

Susan Lynn

cc: Terry Reed, Winnemucca Field Office
Senator Richard Bryan
Senator Harry Reid
Sue Weeks- Friends of the Black Rock

Letter 18

Rural Alliance for Military Accountability
P.O. Box 60036, Reno, NV 89506
Phone/Fax: (775) 677-7001
E-mail: rama@accutek.com
Website: http://www.rama-usa.org

1999 NOV 15 PM12:47
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

September 13, 1999

Bureau of Land Management
Attn: Terri Knutson
EIS Project Manager
5665 Morgan Mill Road
Carson City, NV 89701

Re: Draft Environmental Impact Statement (DEIS) for Naval Air Station Fallon's Proposed Fallon Range Training Complex Requirements

Dear Ms. Knutson;

Overall, we must express our extreme disappointment and dismay concerning the resolution of the Navy's protest on the original Central Nevada Communication Site Final Plan Amendment signed in June 1996 by the Bureau of Land Management's (BLM) Nevada State Director Ann Morgan. Today, trust in BLM's decision making policies regarding military activities has fallen to an all time low.

Since the BLM has now overturned its own decision and "given in" to the Navy's protest demands, the coalition would like to know how BLM plans to meet their responsibility to manage public land resources in a "harmonious and coordinated manner without impairment to the productivity of the land," while at the same time allowing the encroachment of military training operations on public lands in central Nevada. 18-1

The DEIS fails even to mention the public controversy that has been going on for years regarding the expansion of electronic warfare sites in central Nevada. At our last count, this will be the third attempt by the federal government to use the NEPA process to address placement of Navy electronic warfare equipment on public lands in central Nevada.

The first action was initiated by the U.S. Navy through a stand-alone, separate Environmental Assessment (EA) dated January 1995. In that

Response to Comment 18-1. The commenter's concerns are noted. A history of the final plan amendment process has been added to Section 1.2 of the EIS.

The four points contained in the final plan amendment and outlined by the commenter were the reason for the Navy protest of the final plan amendment and environmental assessment. During the protest process, it was determined that if properly managed, threat emitter sites could be compatible with the provisions of FLPMA. This determination is consistent with interpretation and practices in other BLM districts. The other three points regarding Navy development and use of EW sites were inaccurate, as disclosed in this EIS. Section 3.14.4 describes electromagnetic radiation hazards associated with EW site operation; as discussed in this section, standard operating procedures are used to protect Navy personnel and the public from hazards. Section 2.2.1 discusses the limited infrastructure requirements associated with fixed EW site development. Section 4.2.1 describes how EW sites would not result in increases in low-level flight operations since placement of EW systems may result in aircraft flying at higher elevations within the designated airspace to avoid ground threats that the EW systems are simulating.

document, the Navy proposed development of eight "Tracking Instrumentation Subsystems (TIS) sites, four Electronic Warfare (EW) sites and the expansion of one EW site." As might be expected, the Navy's plan was met with extreme criticism. It was pointed out by state and local officials and non-government organizations that it was BLM's responsibility and not the Navy's to address placement of military hardware on public lands. The Navy was subsequently forced to withdraw the EA.

The BLM followed up by producing an amendment to the Shoshone-Eureka, Lahontan, and Walker Resource Management Plans (RMPs) in the form of an EA to identify preferred locations for future communication sites in central Nevada. The plan amendment EA identified areas where military electronic warfare sites would, and would not, be permitted. The outcome of that planning process was to restrict the Navy's electronic warfare activities to the Dixie Valley area (i.e., according to the State Director's June 24, 1996 Final Plan Amendment decision). This action was taken in part because the Navy controls the airspace over Dixie Valley and has bought out most of the private property in the valley under a mitigation strategy established under the Navy's Supersonic Operations Area EIS.

It should be noted that, although Dixie Valley lands remain largely in public domain status, the valley has, in fact, become a defacto military training range. More importantly, the action taken by BLM to restrict the Navy's electronic warfare activities within Dixie Valley was predicated on the following points: **18-1 (cont'd)**

1. New threat emitter sites located outside Dixie Valley were determined to be incompatible with the Federal Land Policy Management Act's requirement to manage public land resource in a "harmonious and coordinated manner without permanent impairment of the quality of the environment and productivity of the land."

2. The threat emitter sites were deemed incompatible with the health, safety and quality of life for central Nevada residents and the public's use and enjoyment of public lands.

3. The sites require extensive infrastructure developments such as fiber optic cables, power lines, and roads, and because of safety hazards, the sites would be closed, limiting the use of public lands, and

4. Most importantly, the placement of electronic warfare emitter sites on public lands would create a direct, undeniable relationship between emitter sites and military aircraft overflight training and associated jet noise.

The BLM has now overturned its own decision and "given in" to the Navy's

protest demands. Accordingly, we are requesting clarification as to the validity of the four points listed above in the final EIS (FEIS). Are any of these points legitimate concerns? In fact, are there any circumstances at all that BLM would consider "show-stoppers" for denying the Navy's use of public lands for military training activities, particularly where such training involves placement of electronic emitter systems to facilitate military combat aircraft flights over public lands!

18-1 (cont'd)

Nevadans clearly want decisions made at the state and local level. Yet, despite the support of the Carson City District office of BLM and the former Nevada BLM Director, BLM officials in Washington have chosen to reverse a difficult and important decision made at the local level by informed local BLM employees. BLM policies established in Washington that ignore substantial public participation based on informed local knowledge is exactly why the public is not sure who to trust in the federal government. These Washington-based policies also negate BLM's public involvement commitments defined in the agency's National Strategic Plan dated September 30, 1997. This plan calls for the promotion of community-based planning and decision making.

Specific Comments:

The referenced DEIS contains two proposals that were never disclosed to the public during the public scoping process, (i.e., per the Federal Register Notice of December 21, 1998 Volume 63, Number 244; the Fallon Range Training Complex Requirement Document dated 25 November 1998 or the Review of Navy Requirements for The Fallon Training Range Complex, prepared by the Institute for Defense Analyses dated. March 24, 1999). The two proposals are:

Adjustments to special use airspace would be made to change the use times of the Reno Military Operations Area (MOA) and to allow for high altitude weapons delivery training requiring and new restricted airspace in the FRTC to 35,000 feet above mean sea level [flight level (FL) 350]); and

18-2

The Navy would do close air support training, including laser spotting, on lands in Dixie Valley.

As defined in the DEIS page 1-8, the current Naval proposal would complete the conversion of Dixie Valley from a small rural community to a Naval warfare range including a realistic combat environment. The take-over of Dixie Valley as well as the cumulative impacts of all military activities in the valley were not adequately addressed in the DIES. The full impacts of and definition of Close Air Support Training and the accompanying scenarios (laser spotting) were not evaluated in the DEIS.

Response to Comment 18-2. The proposed action presented during the scoping process summarized the actions contained within the NAS Fallon FRTC Requirements Document. As the proposed action was developed to include more detail during preparation of the EIS, the referenced items were added as further explanation of the more general "special use airspace changes" and "utilization of Dixie Valley lands."

Changes to the Reno MOA would only involve changes to the use times of that airspace (Section 2.2.2). The Navy is not proposing any activity at the Black Rock Desert. The description of the proposed action in the Executive Summary has been reworded to correct the statement.

As discussed in Section 1.4.1, the close air support training summary contained on page 1-8 of the Draft EIS describes existing training on the B-17 and B-19 training ranges. Training proposed in this EIS (laser spotting) would be limited to the Navy-administered land in the Dixie Valley depicted on Figure 2-6.

Letter 18 (cont'd)

As we understand it, "close air support" is used to train tactical aircrews in ground operations and naval special warfare operations in a realistic combat "ground-based" environment. Ground operations typically include simulating, identifying, or marking targets for planes to attack. Ground training may include the uses of howitzers, machine guns, and laser aiming markers; the howitzer fires white phosphorous illumination rounds to mark tactical targets, the machine guns fire tracer rounds to simulate enemy fire, and the laser aiming markers designate targets with lasers.

Naval special warfare operations include small arms fire and maneuver, demolition, and rescue training for Navy Sea Air Land (SEAL) Team personnel. Ground units learn how to mark targets for aircraft and how to neutralize enemy positions, including radar sites, surface-to-air missile sites, and early warning devices.

18-2 (cont'd)

According to the DEIS, these ground training activities would be conducted on or near existing bombing ranges and in Dixie Valley. The DEIS is, however, silent concerning the use of public lands for these military training activities. Accordingly, the FEIS should directly address this question -- Will any ground training activities including the use of lasers, be conducted on or over public lands in Dixie Valley? If the question is yes, then an analysis of impacts concerning any potential conflicts with other public uses of these lands must be presented in the FEIS.

In March 1996 the Reno Air National Guard acquired a new mission with the conversion of eighteen RF-4C aircraft to the eight C-130 Hercules transport aircraft. Accordingly, the Air National Guard's new mission does not require use of military special use airspace (SUA). The Federal Aviation Administration nevertheless rubber stamped a proposal by NAS Fallon to acquire this airspace as part of the Fallon Range Training Complex (FRTC). This was done without public notification, participation or proper National Environmental Policy Act (NEPA) documentation. Clearly, the current Naval training activity conducted in this SUA represent a different training scenario and use -- given moderan aircraft, than the former reconnaissance mission of the Air National Guard. Yet, the DEIS fails to address the impacts of the Naval takeover and the potential long term impacts of this new training activity over portions of the Balck Rock desert. Since NEPA documentation has never been prepared for the Navy's acquisition of this SUA, the FEIS must address Naval use of this airspace (i.e., an analysis of the Navy's use of the Reno Military Operations Area (MOA) including all Military Training Routes used during travel to and from the MOA -- the analysis should address noise and safety issues, the use of chaff, conflicts with commercial aviation, etc.).

18-3

Response to Comment 18-3. The transfer of scheduling authority for the Reno MOA from the Air National Guard to NAS Fallon was an FAA administrative action categorically excluded from full NEPA analysis. As discussed in Section 3.2, the Reno MOA is used for less than 60 sorties per year. This low level of use can be compared to the approximately 38,000 sorties that are flown in the rest of the FRTC airspace annually.

Under the proposed action evaluated in the EIS, the Navy would request a change in use times of the Reno MOA from 10:00 AM to 6:00 PM, Tuesday through Saturday, to 8:00 AM to 6:00 PM, Monday through Friday, to correspond to the normal training schedule of NAS Fallon (Section 2.2.1). No increases in flight operations, changes to aircraft operations, or changes in airspace designations are proposed for the Reno MOA. The Navy is not proposing to perform high altitude weapons delivery training or any other surface activities at the Black Rock Desert. The Navy also is not performing any activity such as paratrooper training or ground activities at Black Rock or within the bounds of the Reno MOA.

The referenced statement in Section 4.2.1 regarding formalizing an airspace action with the FAA has been revised in the Final EIS. This action, which would create two new restricted areas over the existing R-4804 and R-4813 restricted areas depicted on Figure 1-3, is proposed and analyzed in this EIS. As discussed in sections 2.2.1 and 4.14.1, high altitude weapons delivery training and Hellfire missile training would utilize existing impact areas.

The FAA is the final decision-maker regarding airspace-related actions. The change in operating hours of the Reno MOA and establishment of restricted area airspace over existing airspace will require rulemaking in accordance with FAA Order 7400.2, Chapter 2, Section 1, "Rulemaking" and Chapter 29, "Restricted Areas." This process will begin after the ROD for the EIS is signed, and the Navy has submitted a request to the FAA for the airspace changes.

Scoping is discussed in response to comment 18-2.

Additionally, we question the Navy's request for Restricted Airspace (RA) over the Reno MOA and the description of the Reno MOA as Restricted Airspace. Restricted Areas are typically associated with bombing ranges and other hazardous activities. Has there been a redesignation of the Reno MOA to Restricted Airspace? If so when? Was NEPA documentation prepared? Does the Navy have long term plans to reestablished bombing activities at the Black Rock Desert abandoned World War II Sawtooth Range? Is the proposed action a foot in the door proposal to garner approval for increased activities in the Black Rock Desert? These questions should be addressed in the FIES.

In a related matter, RAMA has now received several reports of paratrooper and ground troop training activities in the Black Rock Desert. Are these Navy Seal Operations? Has BLM approval been garnered for these operations? Was proper NEPA documentation prepared for these activities?

18-3 (cont'd)

The DEIS states on page 4-4 the proposal would formalize an airspace action with the FAA for high altitude flight and ordnance delivery training. Since the Navy is proposing the establishment of Restricted Airspace we believe that such an action must be the subject of a federal rulemaking process. The FIES should address this question. In addition, since airspace changes are directly related to the proposed high altitude bombing and Hellfire Missile Training, the FEIS must include maps showing the proposed changes.

We are also extremely disappointed that the BLM as a Cooperating Agency in the preparation of this DEIS would agree to having new proposals added to the DEIS that were not identified during scoping. Public trust in BLM capabilities to oversee management of our public lands in an honest and forthright manner has again been breached by the last minute addition of new controversial proposals that were never identified during the scoping process. Because these new proposals were never described or discussed during the public scoping, we believe the must be dropped from further consideration in the FEIS.

Laser Operations

The use of lasers in Dixie Valley raised many questions regarding the Navy's and BLM's commitment to protect the health and well being of public land users. We note that there are many public roads in Dixie Valley that are utilized to access surrounding public lands. During lasing operations, does the Navy propose to close off all public access to these public roads to assure safe laser operations? Has the BLM conducted any independent analysis to assure that lasing operations will not significantly affect public lands? Furthermore, since laser operations involve classes of lasers that pose significant hazards, we believe these activities must be conducted only in Restricted Airspace and on withdrawn lands to segregate these ultra

18-4

Response to Comment 18-4. Section 2.2.1 and Figure 2-6 describe laser spotting that would occur on delineated Navy-administered land in the Dixie Valley. Section 4.14.1 has been revised as follows to include more information on the control and regulation of proposed laser use at NAS Fallon:

"Laser marking would not have significant impacts to public health and safety under the proposed action. It is Navy policy to identify and control laser radiation hazards as a matter of military necessity. Various certification programs and Navy instructions are in place to prevent harm to the human and natural environment from laser use. These include Space and Air Warfare Instruction (SPAWARINST) 5100.12B (1994), Navy Laser Hazards Control Program, and Military Handbook (MIL-HDBK) 828a (1998), Laser Range Safety. SPAWARINST 5100.12B governs the design, use, and disposal of all equipment and systems capable of producing laser radiation. MIL-HDBK-828a provides uniform guidance in evaluations for the safe use of military lasers and laser systems on Department of Defense military reservations or military-controlled areas worldwide.

All proposed laser use areas undergo a command review to ensure safety of personnel and the public. Prior to use of a proposed laser area, a certified laser system safety officer surveys the area to ensure compliance with all applicable rules and regulations governing laser use. The procedures developed for an area are reviewed annually, and the area is resurveyed every three years to ensure the area remains in compliance."

The following standard operating procedure has been added to Section 2.3 of the EIS:

"*Laser Spotting.* As is standard operating procedure, laser spotting would be authorized only when there were no vehicles, people, or animals visible in the vicinity of the spotting tower and target locations. The absence of vehicles, people, or animals would be determined by a trained on-site safety officer stationed on the observation tower. If vehicles, people, or animals were observed, the safety officer would call a ceasefire until the area was clear. In addition, lasers would not be used under conditions that could reflect the beams, such as in the presence of standing water or snow."

A categorical exclusion for constructing an observation tower on Navy-administered land was completed in 1998 (Appendix G). The tower is used for other permitted activities on Navy-administered land and is proposed to be used for laser spotting in this EIS. Laser spotting would not be implemented until the effects of doing so have been evaluated and disclosed in this EIS and a Record of Decision has been published. Page G-1 of the Final EIS has been revised to indicate that the tower is on Navy-administered land.

hazardous activities to other non-participating aircraft and the public.

It does appear that the nearest Restricted Airspace to proposed laser operations is Restricted Airspace 4816N, which has a floor of 1,500 Above Ground Level (AGL). Since the proposed laser operations involve ground facilities, we contend that such operations can only take place within Restricted Airspace (to the surface) over withdrawn lands. If this is not the proposal, then the FEIS must assess health and safety issues concerning laser use on public lands. Examples of issues include the potential of thermal burns to the retina, the risks of direct and indirect viewing of laser training activities, and general compliance with Nominal Ocular Hazard Zones for all types of lasers utilized on the Fallon Training Range Complex, including zones that might cross both Highway 50 and Highway 95.

On Page 2-10 the DEIS notes that a Laser tower has been constructed and six target locations have been identified. The DEIS notes that two target locations are located west of the tower across Settlement Road. If these development activities have been implemented, then the Navy has clearly violated regulations of the Counsel of Environmental Quality (CEQ). (e.g. CEQ regulations clearly state that connected actions should be discussed in the same environmental impact statement (40 CFR 1508.25(a)(1). Since this airspace would be used under the proposed action, the two cannot be disconnected. Additional relevant CEQ regulations include: 40 CFR 1502.4(a) Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement; 40 CFR 1508.25(a)(2) Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement; 40 CFR 1508.25(a)(3) Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography.) 18-4 (cont'd)

On page G-1 the DEIS states that a Dixie Valley Tower location is not on Navy land. Is this the lasing tower described in the DEIS? Was this tower constructed on public lands before approval of the Navy land withdrawal? If so, by what authority was this facility constructed? Did the BLM approve the construction of the facility? These are question that should be addressed in the FEIS.

Chaff

Because there have been no studies on the effects of human exposure to Chaff, such as health risks and ecological damage associated with inhalation, ingestion and wide spread dispersal of Chaff, we oppose the use of chaff and flares over any private or public lands not owned or withdrawn 18-5

Response to Comment 18-5. Chaff use would not change as a result of the proposed action or alternatives.

Previous studies on the effects of chaff have been summarized in two environmental impact statements prepared by the Navy for actions proposed at NAS Fallon (US Navy 1998c, 1999a). In response to a General Accounting Office (GAO) report, a Blue Ribbon Panel study was completed on the subject of chaff: Environmental Effects of RF Chaff, A Select Panel Report to the Undersecretary of Defense for Environmental Security, published August 31, 1999 (US Navy 1999h). The study concluded that there are no known negative environmental effects from RF chaff use by DOD and recommended that additional research be conducted on resuspension and fate of RF chaff and that the environmental effects of degradable chaff also be evaluated. The funding and coordination of these studies are currently being pursued.

for military purposes. We are concerned that inhalable particulate below PM10 may occur from the decomposition and resuspension of Chaff fiber particulate by mechanical means. The use of Chaff also constitutes the physical deposition of solid waste on public and private lands. Accordingly, the FEIS should address a regulatory assessment of Chaff use.

Because the effects of continued use of Chaff are unknown in these areas, we believe the Navy must provide funding to support investigations by the Nevada Division of Environmental Protection; funds should be used to establish a Chaff monitoring network tied to the existing military electronic warfare emitter sites in FTRC as a proper mitigation measure. We would suggest that monitoring sites provide data regarding the potential for inhalable particulate of Chaff; that independent field surveys are conducted to learn how much Chaff has been expelled on public lands, and research that would establish how Chaff fibers decompose in the environment. Of note, the Special Nevada Report found that "the long-term effects of Chaff are unknown [and] there is no documentation of human exposure studies to Chaff. **18-5 (cont'd)**

Noise & Electronic Warfare Sites

As for jet noise, the DEIS fails to assess the relationship between threat emitters and the intensity of air combat training in a given vicinity. Yet there is an apparent need for threat emitters to support the accompanying Special Use Airspace and military aircraft training activities. As BLM officials are aware, current Electronic Warfare training is primarily occurring in the skies over Dixie Valley. With the dispersion of threat emitters throughout central Nevada one must assume that many flights currently in Dixie Valley will now occur in the Edwards Creek Valley, Gabbs Valley, Smith Creek Valley, and Big Smoky Valley. Accordingly, we defy the Navy or the BLM to deny this clearly undeniable fact!

And yet as expected, the DEIS provides no analysis of the potential change in flight patterns associated with the dispersion of EW sites. Yet the independent Review of Navy Requirements for The Fallon Training Range Complex by the Institute for Defense Analyses (page 36) found that the use of fixed sites restricts the number of training scenarios that can be developed and enables air crews to memorize the location of threat systems and adapt their flight profiles accordingly. Under the proposed action these training scenarios and the potential site specific noise impacts must be analyzed. Clearly, the current and proposed activities (i.e., placement of new electronic warfare site on Nevada's public lands) warrant development of a long-term noise monitoring program in affected areas. Therefore we believe it is mandatory that the Navy supply adequate funding for and independent noise monitoring system for Edwards Creek Valley, Gabbs Valley, Smith Creek Valley, Big Smoky Valley and the Yomba Shoshone Reservation. Monitoring data should be released to the state clearinghouse and public **18-6**

Response to Comment 18-6. As discussed in Section 4.2.1 of the EIS, no significant changes in flight patterns would result from development of EW sites in the proposed four eastern valleys. The reason for this is that computers currently simulate threats at the places proposed for actual ground placement of new EW sites without allowing for a full complement of training. The placement of EW sites would not result in an increase in low-level flight by attracting aircraft; rather, placement of EW systems may result in aircraft flying at higher elevations within the designated airspace to avoid ground threats that the EW systems are simulating. Because current flight patterns would be maintained, no significant changes in noise levels are anticipated (Section 4.13.2). NAS Fallon has a system in place to monitor sonic booms and is implementing a mobile noise monitoring system.

on a bi-annual basis. 18-6 (cont'd)

While, we do not support the placement of any permanent military facility on Nevada's public lands, we do note that the incremental placement of electronic warfare equipment in Dixie Valley in the 1980s was used to justify an eventual 90,000 acre military land withdrawal. We are also surprised to see the fixed locations as a preferred alternative, noting the findings of the "Review of Navy Requirements for The Fallon Training Range Complex by the Institute for Defense Analyses which states that the Navy should continue to pursue increased mobility for its threat and target systems. Many targets and threats that will be encountered in any future conflict will be mobile. And aircrews must become proficient in combating them. From the environmental perspective, use of mobile systems will have less impact on public land. The FEIS should carefully consider the tradeoffs between fixed and mobile sites. 18-7

We are also concerned that the cumulative impacts caused by the expansion off the Electronic Warfare Range in central Nevada is again being presented to the public in a piecemeal fashion without addressing the full cumulative impacts of the prosed action. We are aware that at least one military installation has been allowed by the Carson City BLM directly related to the Joint Tactical Combat Training System (JTCTS) and that major fiber optic cable was installed connecting range systems. Yet, no mention of these activities or the potential impacts of these systems are mentioned in the DEIS. 18-8

Likewise, the proposed establishment of Mobile EW Radar Sites in additional eastern and northern valleys is ignored throughout the DEIS. We also note the change in flight patterns caused by these sites. The DEIS states on page 5-3 that developing these sites would allow aircrews to fly through defended airspace at further distances form the air station and training ranges. We again note that the placement of EW sites at different locations will definitely change flight patterns throughout central Nevada and that the DEIS failed to address this crucial noise concerns in any meaningful manner.

NEPA Process

We are also extremely concerned that the Navy, with the cooperation of the BLM, will allow the expansion of the EW Range in central Nevada without adequate public input or adequate NEPA analysis. We note that the Navy has incrementally increased their activities in central Nevada with nine Caterigorical Exclusions in the past two years, Caterigorical Exclusions allow for no public participation or notification of Naval activities or expansions. We believe the Navy has sorely abused the use of Caterigorical 18-9

Response to Comment 18-7. The proposed action evaluated in the EIS is the NAS Fallon Requirements Document; the preferred alternative identified in the Final EIS is Alternative II, which would place one fixed EW site in each of Gabbs and Edwards Creek valleys and mobile sites in all four valleys. Alternative III, which would use only mobile EW sites, is not technically or economically feasible at this time (Section 2.2.4). This was verified by the IDA report (Appendix B).

Response to Comment 18-8. As discussed in Section 5.2.1 of the EIS, no Joint Tactical Combat Training System (JTCTS) sites are scheduled for installation until 2005; fiber optic cable connecting the air station with B-17 and the centroid was completed in 1989. Installing JTCTS and developing additional EW sites are included in Section 5.2.1 of the EIS as reasonably foreseeable land use actions and evaluated in Section 5.3 as cumulative impacts.

Response to Comment 18-9. Per the resolution of the Navy protest of the BLM final plan amendment, this EIS discloses foreseeable actions on public lands for the next five years and offers the public the opportunity to comment on these proposed actions. Referenced categorical exclusions all occurred on existing Navy-administered lands.

The Navy publishes findings of no significant impact (FONSIs) in newspapers and makes final environmental assessments available to the public.

Exclusions to avoid public involvement of controversial activities and the cumulative impacts of their activities. Furthermore, despite the assurances of past commanders, we note the Department of Defense (DoD) is one of only a few federal agencies that fail to provide the public with the opportunity to comment on draft Environmental Assessments (EAs). This fuel's distrust of DOD proposals in Nevada.

We also believe it is time the Department of Defense open the doors of secrecy by allowing full public participation in the decisions which affect our environment and, thus, our lives. NEPA requires that environmental information (i.e., documents) be available to public officials and citizens before decisions are made and actions are taken. Final draft EA's should be released for a 60-day public comment period, including release to state clearinghouses, federal and state agencies, impacted Indian Nations, organizations or individuals who have expressed an interest. Notifying the public of the availability of a draft EA must be made available via news releases to local/regional circulation, mail/e-mail and all other appropriate means of communication. **18-9 (cont'd)**

Environmental Justice

The DEIS fails to provide any documentation to prove that there is not a disproportionate impact upon minority or low income populations. To simple state that there is no impact does not fulfill the requirements of NEPA regarding this legal requirement. Were the Native Americans consulted when the Navy took over the Reno MOA. From the maps in the DEIS, it appears that certain portions of SUA airspace for the Reno MOA overlies the Pyramid Lake Indian Reservation? **18-10**

Ordnance

The DEIS states on page 4-21 that there is no evidence of current impacts on the environment from ordnance use. A lack of demonstrative studies or sampling does not warrant a claim of no impacts to the environment. What sampling of and ordnance related hazardous and toxic material has been done on the FRTC? The DEIS must fully address both current and proposed contamination to fully comply with NEPA. Some of the chemical compounds and materials which probably will occur on these ranges are nitrate, trinitrotoluene, ammononium picrate, cyclotrimethylene-trinitramine, sodium sulfide, sodium hydroxide, cynaide, dimethylhydrazine and nitric acid. The DEIS does not mention the health and safety risks associated with these chemicals. **18-11**

We do oppose the use of white phosphorus near any wetlands, including those in Dixie Valley. The DEIS did not address the use of white phosphorus or other explosive ordnance materials and pyrotechnics; these substances have

Response to Comment 18-10. Sections 3.9 and 4.9 discuss environmental justice issues associated with the actions proposed in this EIS. The Pyramid Lake Paiute Tribe has been notified and consulted. Native American consultation is being performed by the BLM and the Navy pursuant to National Historic Preservation Act Section 106 requirements.

Response to Comment 18-11. The introductory section referenced in Section 4.14.1 has been revised as follows:

"Operation of EW sites has the potential to result in releases of hazardous materials. Implementing the standard operating procedures outlined in Section 2.3 would limit the potential for such an occurrence. High altitude weapons delivery training and Hellfire missile training may result in slight increases in ordnance expended on the training ranges. Because ordnance would be released in existing target impact areas and because this is an allowed use of the training ranges, no new impacts from use of ordnance would occur."

Any breakdown of chemical compounds in ordnance, believed to be small in a desert environment (US Navy 1999a), would not have significant public health and safety impacts. No significant surface water features exist on the training ranges, and ground water in the area is of poor quality naturally and not used as a source of drinking water.

The proposed action and alternatives do not include the use of pyrotechnics.

caused thousands of bird deaths in the state of Alaska. 18-11 (cont'd)

Throughout these comments we have raised questions and provided suggestions about significant issues that must be addressed in the FEIS. We believe failure to address these issues would deem the FEIS inadequate as a federal NEPA decision document.

Sincerely,

Grace Potorti
Executive Director
Rural Alliance for Military Accountability
P.O. Box 60036
Reno, NV 89506

Cathy Lemar
Executive Director
Military Toxic Project
P.O. Box 558
Lewiston, ME 04243

Marge Sill
Public Lands Coordinator
Sierra Club
720 Brookfield Dr.
Reno, NV 89503

Kaitlin Backlund
Executive Director
Citizen Alert
P.O. Box 5339
Reno, NV 89513

Charles Watson
Executive Director
Nevada Outdoor Recreation Association
P.O. Box 1245
Carson City, NV 89702

Tom Myers
Friends of Nevada Wilderness
200 Bartlett
Reno, NV 89512
cc:

Letter 18 (cont'd)

Governor Bob Miller
Nevada Congressional Delegation
State Clearinghouse
Nevada Division of Environmental Protection
Nevada Legislative Committee on Public Lands
John Singlaub, BLM Carson City District
Commander NAS Fallon
Bruce Babbitt, DOI
Patrick Shea, BLM

Letter 19

FALLON RANGE TRAINING COMPLEX REQUIREMENTS
DRAFT EIS

NAS FALLON, NEVADA

Comment Card

Please write your comments and suggestions regarding the potential environmental and socioeconomic issues resulting from the proposed action in the space provided below. You may attach additional sheets of paper, as necessary. Comments may be mailed or faxed by October 13, 1999 to: Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, NV 89701, Attn: Terri Knutson, Project Manager. Comments may also be sent via electronic mail to the following address: tknutson@nv.blm.gov or via FAX: (775) 885-6147.

I've read the EIS and support Alternative I as the most beneficial for both Austin and our National Defense. As far as I can see, and I've lived in Austin for 25 years, the report is accurate. I further feel the Navy has been responsible and prompt in addressing the concerns we have with sonic booms and noise problems. 19-1

Jim Anderson

Name: Jim Anderson

Date: 9/9/99

Address: P.O. Box 238 Austin, NV 89310

Affiliation (if applicable):

Response to Comment 19-1. The commenter's support of Alternative I is noted.

Letter 20

FALLON RANGE TRAINING COMPLEX REQUIREMENTS
DRAFT EIS

NAS FALLON, NEVADA

Comment Card

Please write your comments and suggestions regarding the potential environmental and socioeconomic issues resulting from the proposed action in the space provided below. You may attach additional sheets of paper, as necessary. Comments may be mailed or faxed by October 13, 1999 to: Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, NV 89701, Attn: Terri Knutson, Project Manager. Comments may also be sent via electronic mail to the following address: tknutson@nv.blm.gov or via FAX: (775) 885-6147.

I believe the potential environmental issues resulting from the proposed action to be of a minimal negative nature and well covered in all the documentation. As we have "lived" with naval training for a great deal of my lifetime I'm very much in favor of a long term training site. 20-1

In addition our area very much needs a stable economic base and I feel that this proposal will provide just that.

Val Anderson — 9-9-99
Name — Date

P.O. Box 72 Austin, NV. 89310
Address

Affiliation (if applicable)

Response to Comment 20-1. The commenter's support of the Navy's proposal is noted.

Letter 21

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: One of the reasons this place is so wonderful & unique is the peace & quiet. I for one, do not want to see it changed. The environment, the wildlife & the people who live here would suffer immensely. 21-1

No - I do not want the Naval Air Station of Fallon or any other military entity to do anything of this sort in my Valley.

Name and Address: Cathy Baird PO Box 1098
Round Mountain NV 89045

Letter 21
Cathy Baird

Response to Comment 21-1. The commenter's concern regarding military training is noted. The flyer attached to the comment card listed four bulleted items. The first was development of four EW sites on public lands. The Navy is proposing to develop EW site capabilities in four eastern valleys of Nevada, including Gabbs, Edwards Creek, Smith Creek, and Big Smoky valleys to allow the Navy to train its pilots for today's threat environment. Various alternatives to develop EW sites in the four valleys were evaluated in Chapter 2 of the EIS. The preferred alternative identified in the Final EIS (Alternative II) would minimize impacts to the human and natural environment by not developing fixed EW sites in two valleys— Smith Creek and Big Smoky valleys; fixed EW sites would be developed in Gabbs and Edwards Creek valleys (Section 2.2.3). To compensate for the lack of fixed EW sites in Smith Creek and Big Smoky valleys, the Navy would develop five mobile EW sites in each of these valleys instead. The mobile sites would be graded areas up to one-third acre in size that would be located near existing roadways. These sites would not be fenced and access to them would not be restricted. The locations of the proposed EW sites are depicted on figures in Appendix C of the EIS. Section 2.2.1 of the EIS describes how fixed sites would be developed and used. Section 2.2.2 of the EIS describes how mobile EW sites would be developed, what mobile equipment would be placed on them, and the amount of time a site would be used.

No changes to existing airspace or number of flight operations are proposed in the EIS. The placement of EW sites would not result in increased low-level flight activity. As described in Section 4.2.1, placement of EW systems may result in aircraft flying at higher elevations within the designated airspace to avoid the ground threats that the EW systems are simulating. No significant changes in noise levels are anticipated (Section 4.13).

The second and third bulleted items, close air support training and Hellfire missile training/high altitude weapons delivery training, would occur on existing Navy-administered lands and would not impact the public. The fourth bulleted item, associated with the Reno MOA, is inaccurate. The Navy is not proposing any activity at the Black Rock Desert. The description of the proposed action in the Executive Summary has been reworded to correct the statement.

Letter 22

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I live in Smokey Valley and its already bad enough with the jets flying over and doing military exercises very close to the ground. Whenever possible we take down the number on the side of the aircraft and turn it in. If they continue taking over land like they've done in Dixie Valley, pretty soon we are all going to lose this beautiful land we call home. 22-1

Name and Address: Kristi Berg Bx 1036 Round Mtn NV 89045 (775) 377-1403

Letter 22
Kristi Berg

Response to Comment 22-1. The commenter's concern regarding military training is noted. Please see response to comment 21-1.

Letter 23

(Bobb)

10/13/99

Terri Knutson
EIS Project Manager
BLM – Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 OCT 18 PM 12:42

Dear Ms. Knutson:

As a scientist, I must critique your August 1999 Draft EIS as an unscientific study based on erroneous & illogical assumptions. You seem to begin from the proposition that present conditions are acceptable. They are not! The EIS leads one to believe that not much will change. It is presently unacceptable. Many of us make complaints about overflights & noise, scared children, falls from horses. We currently have no way to bring charges, no laws, ordinances, or legislation to maintain the peace which is disturbed on an almost daily basis. The EIS continually speaks of "no significant impact." What is the standard by which you determine significance? A probability standard of $p = .05$ or $p = .01$? But you provide no experimental data or methodology. There is no rationale for your claims. I want to see hard scientific, experimental data. For example, p. 4-6, Section 4.3.1 Biological Resources "... proposed projects would not harm them or any of their critical habitat." This is a claim based on no data. You must give proof or convincing evidence to verify such statements. In the next paragraph, you discuss "reducing the risk" to certain species. No risk is acceptable to ourselves or to any "biological resource"

23-1

23-2

Letter 23
Dr. Bonnie Eberhardt Bobb

Response to Comment 23-1. The use of the current existing conditions (as presented in Chapter 3) as a benchmark against which to measure incremental levels of change resulting from a proposed action (Chapter 2) is appropriate under the National Environmental Policy Act.

Response to Comment 23-2. No conflicting information was found in the studies used to evaluate the potential environmental effects of the proposed action and alternatives. EW and TIS site locations were chosen specifically to avoid sensitive biological resources. Construction and operation of the sites would not harm threatened or endangered species, as no threatened and endangered species reside in these areas (Section 4.3).

Many human actions have some potential to affect biological resources. Standard engineering designs and operating procedures, such as those described in Section 2.3 of the EIS, have been developed by professional biologists to prevent or limit adverse impacts to these resources. Any necessary mitigation measures would be detailed in the BLM approval of individual rights-of-way applied for by the Navy.

-2- (Bobb)

What studies or investigations have been performed? Where? What about conflicting findings? Can you answer any of these challenges? **23-2 (cont'd)**

On page 4-11 Section 4.6.1 Cultural Resources the EIS states "mitigation plans would be developed." The public must see these plans before it can judge the EIS. You cannot tell us you will do "something" at "some point" in the future. Thus, the EIS is incomplete. It must include exact plans, specifications, & descriptions. **23-3**

On page 3-26 to 3-29 Section 3.9.3 Environmental Justice, you describe the purpose of Exec. Order 12898, designed to avoid disproportionate adverse impact on minorities & low income populations. While you chart age, ethnic identification, & population changes, you fail to discuss low-income populations. Table 3-5 page 3-28 charts employment by industry. There is no information about unemployment rates, and there are no salary ranges. Can I assume a rancher is not a low-income? What about the elderly or those on fixed incomes? What is low income? Do some minority groups have lower incomes? You have presented no information for your claims. I claim that I live on a reservation with many elderly or on fixed incomes, with children who attend Gabbs schools (which do not even appear in your study). Knowing you have a record of all my over flight & noise complaints, I believe this reservation area - Yomba - is disproportionately impacted. Prove otherwise! You **23-4**

Response to Comment 23-3. EW and TIS site locations have been chosen to avoid sensitive cultural resources, as determined through site surveys, record searches, State Historic Preservation Office consultation, and consultation with affected Native American tribes. Section 106 consultation is ongoing, and if mitigations are found to be needed, they will be included in the published Record of Decision.

Response to Comment 23-4. In sections 3.9 and 4.9 of the EIS, the Navy and BLM analyzed the proposed action and alternatives under Executive Order 12898 to identify and address disproportionate high and adverse human health or environmental effects on minority populations and low-income populations. Consistent with guidance issued by the President's Council on Environmental Quality, the Navy and BLM first determined whether there would be any significant human health or environmental effects and concluded that there are none. Because there are no significant effects on human health or the environment, there are no disproportionate high and adverse human health or environmental effects as those terms are used in the executive order.

Letter 23 (cont'd)

-3- Bob

have given no figures for our section of Ely Co. although you do admit Yomba will be affected.

In fact Yomba Shoshone "Reservation" does not appear on any of your maps. During public comment, I pointed that out to you- At the meetings you tell us that installation of your equipment will increase your ability to track aircraft & provide pilot accountability. Your inability to control your pilots & your inability to instill in them a respect for individual rights to feel safe in our homes is not the responsibility of the citizenry. It is not a justifiable cause for expanding your facilities, for harassing the populace.

Page 4-12 Section 4.7.1 Native American Religious Concerns you claim actions "would not prohibit Native Americans the right to believe, express, or exercise their traditional religious practices." Your actions do not "prohibit;" they infringe on their full practice. You say you have consulted with Native American groups. Define "Consultation" because I have seen none. By groups do you mean Tribal Councils which are funded by government dollars? Have you talked to traditional people? For example, one Tribal Chairman & Council have refused to allow a valid Recall Election for almost 3 years. Do you believe this Council represents its Tribal Members? Tribal members have written, commented & voiced opposition to Council. Who do you listen to? In your Chapter 6 List, you do not note

23-4 (cont'd)

23-5

23-6

Response to Comment 23-5. The Yomba Shoshone Reservation has been added to the base maps in the Final EIS.

Installing four additional TIS sites as proposed in this EIS would provide tracking coverage to areas of central Nevada that are not adequately covered by the existing tracking network. This increased tracking ability would allow NAS Fallon to better track training aircraft and would provide better pilot accountability. If review of the tracking information finds that a violation has occurred, appropriate action would be taken.

Response to Comment 23-6. Pursuant to the National Historic Preservation Act, the Navy and BLM must coordinate with the elected Tribal Counsel and with the Tribal Chairman with regard to tribal coordination and consultation. It is not within the authority of the Navy or the BLM to dictate how the Tribal Chairman distributes the information. Concerns regarding the Ruby Valley Treaty and Western Shoshone land claims are beyond the scope of this document. The land ownership maps referenced in the report show how lands are currently administered.

-4- Bobb

by asterisk all of those comments you have received from Native Americans). You list these people as "Individuals," not as "Native American". Why does their voice not count as loudly as other Tribal members? You must give them proper consideration. Also, you must know that Tribal jurisdiction does not extend outside "reservation" boundaries.

The Western Shoshone National Council, the traditional government of the Western Shoshone — alone can speak for Western Shoshone land. The Ruby Valley Treaty ceded no land & is still in full force & effect. Your jurisdiction ends where Western Shoshone lands begin. You are employed (as the BLM) to manage unappropriated lands. The Treaty clearly appropriates Western Shoshone Territory. Figure 1-2, page 1-6 describes land ownership. Neither the BLM nor any military organization holds title to portions of the land on that map. Bruce Thompson (in 1985) ruled that land title has not been litigated!

23-6 (cont'd)

In summary, the issues you choose to address are from the perspective of an individualistic, society. Native people are from a collectivist perspective & cannot separate themselves from the rest of the environment. Damage to any element of the people-environment relationship is a tragedy to us all. Please address my comments.

Sincerely,

Dr. Bonnie Eberhardt Bobb
HC 61, Box 6250
Austin, NV 89310

Letter 24

James M. Boudinot
P.O. Box 68
Austin, NV 89310
775 964 2677

10 Sep 99

Bureau of Land Management
Carson City Field Office
5665 Morgan Mill Road
Carson City, NV 89701

ATTN: Terri Knutson, Project Manager

SUBJECT: Fallon Range Training Complex Requirements, Draft EIS

Dear Ms. Knutson,

I am writing this letter to express my support for the above named proposal.

I have lived and worked in Austin and surrounding area since Aug 1983, when I was transferred here as a Trooper with the Nevada Highway Patrol. Upon my retirement in Jan 1995, I have continued living here. As a Trooper, I often received complaints about the noise low flying jets created in the Austin, Kingston and Gillman Springs areas. Some people alleged the jets broke their windows and / or caused objects to fall and break within their homes. I can state that at no time have I had a window or object in my residence broken due to jet noise or vibration. The installation of additional radar sites, indicated in the proposal, will help the Navy to monitor their aircraft to ensure they are flying at proper altitudes and corridors around the above mentioned areas. Thus, this will help the citizens of these communities.

Some ranchers have complained that jet noise disturbs their livestock, causing them to stampede and thus lose weight which reduces their market value. Prior to entering law enforcement, I was the foreman for the Chabango Ranch, located in Golconda Canyon, Pleasant Valley, Pershing County. Part of my grazing rights were in Jersey Valley and the extreme north end of Dixie Valley. I observed that calves and colts did spook the first few times they heard jet noise, but quickly adapted and learned not to pay attention to the jets flying over. Older livestock wouldn't even raise their heads when grazing. 24-1

I have observed that the citizens who complain the most, are usually the one's who resent or are against ANY type of Government program. They view all programs as more intrusion and control in their lives, regardless of what agency or Government organization is involved. Many people did not have access to the Draft EIS, as I did, and were under the impression that the additional sites and facilities requested would mean more land and roads they couldn't utilize or travel on.

I am very familiar with the areas in Edwards Creek, Smith Creek and Big Smokey Valley as well as the surrounding mountain ranges and know that the acreage requested and site locations will have minimal impact on the environment, flora and fauna.

In summation, it is very important that our pilots receive the best and most realistic training available and the additional acreage and facilities will achieve this goal, while having minimal impact on the citizens who reside in the proposed areas. Again, I am in favor of the primary proposal and express my support.

If I can be of further assistance, please feel free to contact me.

Thank you very much for taking the time to note my views.

Cordially,

James M. Boudinot

James M. Boudinot

Response to Comment 24-1. The commenter's support of the Navy's proposal is noted.

Letter 25

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: We live here for the Peace And Quiet, we feel you already have enough area you don't need to come into Our Space. Please Keep Out — 25-1

Name and Address: Donna L Bratton Bill J. Bratton
HC 60 Box CH 607 Round Mountain NV 89045

Response to Comment 25-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 26

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I agree to the above. 26-1

Name and Address: Diane Canfeed
HC 60 Box 52522
Rud. Mtn., Nv 89045

Response to Comment 26-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 27

MICHAEL A. AND CLAUDIA C. CASEY
1550 ALLEN ROAD
FALLON NV 89406
775-423-8590

October 6, 1999

Bureau of Land Management
Carson City Field Office
Terry Knutson, E.I.S. Project Manager
5665 Morgan Hill Road
Carson City, NV 89701

To Whom it May Concern:

I am writing this letter because of my concern regarding the draft E.I.S. for purposed Fallon Range Training Complex Requirements (August 1999). We own grazing permits in Edwards Creek Valley, Fairview Valley (Bell Flat), Dixie Valley, the Desatoya Mountains, as well as the Clan Alpine Mountains. In addition to grazing permits, we also have private farm lands, grazing lands, water rights, homes, out buildings, and corrals in Dixie Valley, Edwards Creek Valley, the Clan Alpine Mountains, and the foothills of the Desatoya Mountains; approximately 20 different deeded parcels as well as various mining claims.

On the Bell Flat allotment by Fairview Mountain the Navy has been a welcome neighbor in the past maintaining roads, and I believe their presence has deterred vandalism of stock water facilities. We have no deeded lands on the Bell Flat allotment. Our property consists of stock tanks, wells, water rights, and a 960 head cattle permit for four months. Our concern is not so much Bell Flat. **27-1**

In the summer of 1999 we encountered for the first time (on Bell Flat) negative impact from the Navy in the form of a fire. Other than this the Navy has had a positive impact on our winter grazing operation. I will address this fire later on in this letter.

We do have many concerns about the increased Navy operations in Dixie Valley, Edwards Creek Mountains, Clan Alpine Mountains, and the Desatoya Mountains. Our primary concern is devaluation of the private property we own there. Also a lack or failure by the Navy to advise or inform the public and property owners about laser equipment in Dixie Valley. One such installation is just one thousand feet away from a five parcel sub-division and home we own with targets even closer to our house. This has

October 6, 1999 Letter

Response to Comment 27-1. The commenter's statements are noted. No actions are proposed in the referenced mountains; the only actions that would occur in mountains, the placement of four tracking instrumentation subsystem (TIS) sites, would occur in remote areas inaccessible except by helicopter (Section 2.2.1).

Although the Navy has constructed a tower in Dixie Valley that would be used for proposed laser spotting, no laser equipment is used in Dixie Valley at this time. Laser spotting described in Section 2.2.1 is evaluated in this EIS, and a decision on laser spotting will be published in the Record of Decision. Section 1.7 of the EIS describes the efforts that were taken to inform the public of the Navy's proposal.

Section 2.2.1 and Figure 2-6 describe laser spotting that would occur on delineated Navy-administered land in the Dixie Valley. Section 4.14.1 has been revised as follows to include more information on the control and regulation of proposed laser use at NAS Fallon:

"Laser marking would not have significant impacts to public health and safety under the proposed action. It is Navy policy to identify and control laser radiation hazards as a matter of military necessity. Various certification programs and Navy instructions are in place to prevent harm to the human and natural environment from laser use. These include Space and Air Warfare Instruction (SPAWARINST) 5100.12B (1994), Navy Laser Hazards Control Program, and Military Handbook (MIL-HDBK) 828a (1998), Laser Range Safety. SPAWARINST 5100.12B governs the design, use, and disposal of all equipment and systems capable of producing laser radiation. MIL-HDBK-828a provides uniform guidance in evaluations for the safe use of military lasers and laser systems on Department of Defense military reservations or military-controlled areas worldwide.

All proposed laser use areas undergo a command review to ensure safety of personnel and the public. Prior to use of a proposed laser area, a certified laser system safety officer surveys the area to ensure compliance with all applicable rules and regulations governing laser use. The procedures developed for an area are reviewed annually, and the area is resurveyed every three years to ensure the area remains in compliance."

The following standard operating procedure has been added to Section 2.3 of the EIS:

"*Laser Spotting.* As is standard operating procedure, laser spotting would be authorized only when there were no vehicles, people, or animals visible in the vicinity of the spotting tower and target locations. The absence of vehicles, people, or animals would be determined by a trained on-site safety officer stationed on the observation tower. If vehicles, people, or animals were observed, the safety officer would call a ceasefire until the area was clear. In addition, lasers would not be used under conditions that could reflect the beams, such as in the presence of standing water or snow."

Letter 27 (cont'd)

had a direct effect on the property value and salability of our adjacent lands. When someone asks about the safety of the laser operation we can only say we don't know what the effect of a direct laser beam fired upon a small child or an unsuspecting motorists, or a cowboy herding cattle in the area would be. We heard it could cause blindness.

Regarding the utilization of Dixie Valley lands, (page 4.22 on the E.I.S. report) refers to figure 2.6. This laser tower and the targets are very close to our deeded property and existing ranch house. You show two laser targets are across the county road, our land is also across this county road. You say the lasers will be fired across the county road and there is a hazardous zone. I have some questions. How powerful are these laser firings? What would a direct shot in someone's eyes do? What if they were observing with a pair of binoculars? How come in your report you do not say there will be NO impact on public health and safety? You only say the impacts will be insignificant. What is insignificant to you may be significant to me! Could you send me the specifcations on the power of these laser guns? **27-1 (cont'd)**

Also, we have an on going problem with Navy Officials doing improper title searches and illegally taking aviation easements over our land, even after being notified they have done nothing to rectify the situation. We periodically see and hear unauthorized, low level, supersonic flights causing great noise and startling both horse and rider. This can be extremely dangerous and is unwelcome.

As a direct result of the Bell Flat fire we have lost 1/3 of our cattle production on our Clan Alpine ranch. And as of the time of the writing of this letter, even after much contact with the Navy about the fire, we have had no response or contact back from the Navy. I do not feel the Navy is taking responsibility for their actions. You would think they would try to get a hold of me seeing as how they are responsible for the fire. Based on past actions I do not believe the Navy is looking after the public's welfare or even their safety. **27-2**

We are also neighbors to the Navy in Fallon having land in the APZ zone as well as in the 70 decibel sound zone. Being close to the Navy base has greatly devalued our land in Fallon as well. We often find aviation parts ranging form small titanium bolts to 3 foot by 3 foot portions of an aircraft. Even in Edwards Creek and Dixie Valley we often find aluminum chaff and plastic lids. We have even found two jet crashes that have not been cleaned up both within one mine of our deeded land in Edwards Creek valley.

I disagree with the E.I.S. report that periodically maintains there will be no negative impact to the health and welfare of the public from increased Navy activities in the area. There are many areas where the increase in Navy operations will have a negative impact on the public. The new sites and mobile sites are not explained very well in the E.I.S. report. For instance I would like to know how often can the Navy use these sites if they want to? Is there a limit of usage? How heavy are the trucks and other equipment that will be traveling down fragile dirt roads? **27-3**

Response to Comment 27-2. The commenter's statements are noted. These issues are beyond the scope of this EIS.

Response to Comment 27-3. Chapter 4 evaluates potential impacts to the human and natural environment from actions proposed in the EIS; no significant impacts were found. Sections 2.2.1 and 2.2.2 describe equipment that will be used at fixed and mobile EW sites. These equipment primarily include light and heavy duty trucks. The following text has been added to Section 2.3, Standard Operating Procedures, to describe road maintenance requirements:

"*Roads.* To the extent authorized by law, the Navy would assist with the maintenance of roads it uses to prevent deterioration from increased use by heavy trucks beyond the normal wear and tear from existing uses."

Letter 27 (cont'd)

Recently BLM fire trucks absolutely destroyed much of the roads throughout the area that was burned by the Shoshone and Antelope fire. This couldn't be helped as it was an emergency. Roads that could have sustained thousands of pick-up trucks quickly deteriorated with the heavy fire trucks and water tankers. Soon the roads were no longer passable by two wheel drive vehicles. Deep dust, often 10 inches deep, made leaving the old roadway and driving in the brush a better option. Traveling down these deteriorated roads created unbelievable amounts of dust.

The Clan Alpine road goes by our ranches and we see most of the traffic that goes by. The traffic consists almost entirely of small vehicles except for the occasional heavy Navy trucks seen recently in the area. Currently the Churchill County Road Department rough blades this road less than once a year. The last time it was bladed was 17 months ago. In the winter months or after a heavy soaking rain storm the road often becomes soft and subject to rutting by heavy trucks. One trip down the road when muddy with a heavy truck can leave deep ruts in the road that will stay a year or more. These ruts can catch an unsuspecting driver unaware and cause an accident, not to mention the wear and tear on vehicles traveling daily on deteriorating roads. One of the reasons this road is hard to maintain is that it is often wet in the winter and spring with snow and rain and in the summer is often too dry to effectively blade. It would require much watering before blading to do any good. I was told by Mike Martin, the retired County Road Manager, that on a paved road one heavy semi-truck did more damage to the road that 2000 smaller cars. Does the Navy plan to pave the road, or do they have an enforceable maintenance plan? Are they going to take responsibility for damage to the roadway? This road serves 13 parcels of our land not to mention almost daily use to care for our cattle operation.

27-3 (cont'd)

The increased Navy presence on the land and in the air will cause devaluation of private lands and will be an invasion of the serenity of the remote desert valley and the mountains surrounding the valleys which are currently under study to be a wilderness area. One requirement of which is low level of noise.

It seems only logical that increased Navy facilities in the area will encourage more frequent flights in the future. Increased Navy helicopter flights cause wild horses to race across the valleys and through the mountains. In the Clan Alpine mountains we have one of the largest wild horse herds in the United States. The BLM's perferred method of gathering wild horses is by helicopter. One such gathering is scheduled for November 1999. After horses are gathered by helicopter they are extremely spooky of any helicopter flying in the area for years to come. I am not personally responsible for the well being of wild horse herds, but I am responsible for mending and repairing many miles of fence on the open range and private lands that often become broken down by spooked horses. You can often see dust trails of many bands of horses running away from the sound of Navy helicopters.

27-4

Response to Comment 27-4. Section 4.2.1 of the EIS explains why no increase in numbers of flights or changes in flight patterns would result from the actions proposed in the EIS. Developments that the Navy has proposed would enhance existing training capabilities, and in the case of tracking instrumentation subsystem (TIS) sites would allow the Navy to better track its aircraft. No changes in helicopter operations are proposed except in restricted area airspace over existing training ranges B-17 and B-20.

Letter 27 (cont'd)

I support the Navy with my tax dollars and am a strong advocate of a powerful U.S. military but I draw the line at involuntarily subsidizing Navy training areas with personal property devaluation, and illegal taking and destruction of property without compensation. Clan Alpine ranch has been in operation for 130 years. We are not the intruder out here, but rather are being intruded upon. I hope you will give my concerns consideration.

Sincerely,

Michael A. Casey

Michael A. Casey

Letter 27 (cont'd)

MICHAEL A. AND CLAUDIA C. CASEY
1550 ALLEN ROAD
FALLON NV 89406

October 28, 1999

Bureau of Land Management
Carson City Field Office
Terry Knutson, E.I.S. Project Manager
5665 Morgan Mill Road
Carson City, NV 89701

To Whom it May Concern:

I am writing this letter as an addition to my letter written October 6, 1999 regarding the draft E.I.S. for purposed Fallon Range Training Complex Requirements.

How does the Navy plan to prevent and handle damage caused by fires they unintentionally start in the area? The Navy has a history of unintentionally causing fires that destroy rangeland and wildlife habitat and causing undo hardship to neighboring ranchers and not taking responsibility for their actions. **27-5**

With great concern,

Michael A. Casey

Michael A. Casey

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 NOV -1 AM 10:48

October 28, 1999

Response to Comment 27-5. The Navy and BLM maintain a memorandum of understanding signed in 1999 outlining procedures and responsibilities for managing wild land fire.

Letter 28

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I object to the proped increase in Naval activities and training on land in Central Nevada. These are dangerous harmful to humans and all creatures. Besides why doesn't the Navy do something helpful for a change like helping the Mayan Indians defend themselves? Hatred does not cease by hatred but by love alone is healed. 28-1

Name and Address: Gayle Chudd

Letter 28
Gayle Chudd

Response to Comment 28-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 29

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: WE LIVE IN SMOKY VALLEY FOR THE PEACE AND QUIET AND ALREADY HAVE JETS IN OUR AIR SPACE! THE MILITARY HAS ALREADY ACQUIRED MOST OF THE VALLEY SPACE FROM FALLON AROUND IT — THEY CERTAINLY DON'T NEED OURS! OUR WILDLIFE AND CATTLE ARE AFFECTED BY THE NOISE AND SO ARE WE! KEEP OUT! 29-1

Name and Address: BRUCE & DIANNE CLOUSER
HC60 BOX 52530 ROUND MOUNTAIN NEVADA 89045

Response to Comment 29-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 30

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: As native Nevadans we are adamantly against the military encroaching any further on Nevada's public lands. 30-1

Vici & Craig Cooper

Name and Address: Craig + Vici Cooper, P.O. Box 1004
Round Mountain, Nevada 89045

Response to Comment 30-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 31

September 8, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz, CA 95062
831-457-1652

Field Manager, Bureau Of Land Management
5665 Morgan Mill Road
Carson City, NV 89701

Attn: Navy EIS Project Manager

Please find enclosed 208 marked pages of important information to be included in the public record concerning the Draft Environmental Impact Statement, Proposed Fallon Range Training Complex Requirements Naval Air Station Fallon, Nevada, August 1999. **31-1**

Very truly yours,

Earl L. Crockett

September 8, 1999

Response to Comment 31-1. The attached pages are selected comments received on the *Central Nevada Communication Sites Final Plan Amendment, 1996*, and are already a part of the public record for that document. A history of the above final plan amendment process, protest, and eventual resolution has been added to Section 1.2 of the Final EIS. In the interest of reducing the size and cost of the EIS, the 208-page attachment has not been published in the Final EIS. Attachments are available for review at the BLM Carson City and Battle Mountain Field Offices.

Letter 31 (cont'd)

October 7, 1999

Earl L. Crockett
343 Soquel Ave.
Santa Cruz, CA 95062
831-457-1652

Bureau Of Land Management
Carson City Field Office
Attention: Terri Knudson
5656 Morgon Mill Road
Carson City, NV 89701

Subject: DEIS-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada.

Dear Ms. Knudson:

As you know I attended all five of the public hearings on the above DEIS from Eureka to Reno, and spent hours asking questions of the Navy and BLM personnel at those meetings. I also have met privately with the Manager of your Carson City field office, John Singlaub, and with the BLM Nevada State Director, Bob Abbey. In addition I met with many of the citizens of Eureka and Lander Counties who are concerned about the expansion of the electronic warfare system. As a concerned citizen, at my own expense, I have devoted the better part of the last six weeks collecting data, and analyzing the implications of the DEIS on Central Nevada. **31-2**

I now find myself with precious few days (6) left until the October 13, 1999 public comment cut off date. I need more time to do an adequate response to this very complex proposal. I hereby request a 90-day extension of the public comment period until January 13, 2000.

Very truly yours,

Earl L. Crockett

CC: Bob Abbey
John Singlaub

October 7, 1999 Letter

Response to Comment 31-2. The public review period was extended to November 12, 1999.

Letter 31 (cont'd)

October 10, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz. CA 95062
831-457-16523

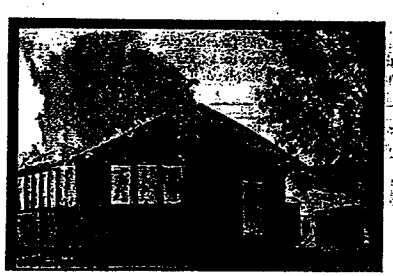
1999 OCT 18 PM 12:45
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

Bureau Of Land Management
Carson City Field Office
Attn: Terri Knutson, EIS Project Manager
5665 Morgan Mill Road
Carson, NV 89701

Subject: Inadequacy of the scope of the Draft Environmental Impact Statement (DEIS) for the Naval Air Station (NAS) Fallon's proposed Fallon Range Training Complex Requirements document.

Dear Ms. Knutson:

The above referenced DEIS proposes to expand the Fallon Naval Air Station's electronic warfare range from it's present location in Dixie Valley (Churchill County) into Edwards Creek Valley, Smith Creek Valley, and Big Smokey Valley (Lander County), and Gabbs (Nye County). The conclusions of the DEIS is that the expansion will cause "no significant impact."



Left: The Navy eventually bought various properties from the Dixie Valley residents and then burned them — homes, barns, mobiles, outbuildings — to the ground. Here the Navy torches the Dixie Valley School House, used as a meeting center.

31-3

The EIS scope methodology of the above referenced DEIS is inadequate because it uses the erroneous assumption that the placement and/or deployment of the electronic

October 10, 1999 Letter

Response to Comment 31-3. This EIS identifies foreseeable training needs at NAS Fallon and evaluates alternatives to satisfy training requirements while minimizing the impact to the environment.

NAS Fallon currently maintains EW systems on sites at and around the B-17 training range, including in the Dixie Valley (Figure 1-5). The Navy is proposing to place additional EW systems on its B-19 and B-20 training ranges, on Navy-administered lands in Dixie Valley, and in Gabbs, Edwards Creek, Smith Creek, and Big Smoky valleys. Under the preferred alternative identified in the Final EIS (Alternative II), the Navy would place fixed EW sites on Navy-administered lands and in Gabbs and Edwards Creek valleys and mobile EW sites in Gabbs, Edwards Creek, Smith Creek, and Big Smoky valleys (Section 2.2.3). No fixed EW sites would be developed in Smith Creek or Big Smoky valleys.

The methodology used to analyze impacts does not suggest that the placement and/or deployment of the EW systems is an unconnected, stand alone, one-time action. The Draft EIS uses the existing situation as a baseline (Chapter 3), assesses the impacts associated with the proposed action and alternatives (Chapter 4), and addresses cumulative impacts and "Other Proposed and Reasonably Foreseeable Actions" (Chapter 5).

Analysis of the proposed action and alternatives did not reveal impacts that can be correlated to the Dixie Valley. The Navy acquired Dixie Valley lands to mitigate noise impacts resulting from supersonic operations. Placement of EW sites would not result in an increase in low-level flight operations in the eastern valleys or an increase in supersonic operations; placement of these sites likely would result in planes flying higher to avoid these sites (Section 4.2.1). No changes to airspace designations are proposed, and no significant impacts would occur.

warfare systems into these presently unoccupied valleys is an unconnected, stand alone, one-time action.

Right: Navy torches the May Ranch.

The question the DEIS fails to ask, and then analyze, is "What happened in Dixie Valley after the Navy deployed, and then began to use, the electronic warfare systems?" (The same kinds of electronic warfare systems proposed for Edwards Creek Valley, Smith Creek Valley, Big Smokey Valley, and Gabbs.)

31-3 (cont'd)

Left: Navy burns down the Younker ranch.

Doesn't it seem reasonable to assume that the same things that have happened in Dixie Valley, after the deployment and use of electronic warfare systems, might also happen in Edwards Creek Valley, Smith Creek Valley, Big Smokey Valley, and Gabbs? These proposed new electronic warfare system sites will be interdependent parts of the base Dixie Valley installation, and could automatically trigger other actions which could lead to a drastic escalation of environmental impacts (as happened in Dixie Valley). Shouldn't that possibility be thoroughly analyzed now?

Left: Navy torches Casey Ranch, Dixie Valley, 1988.
Most photos on these pages courtesy of Ed Robbins.

The history of the Navy's eventual occupation and destruction of Dixie Valley after the installation of the electronic warfare systems is well known to Central Nevada citizens. Where there was once a thriving community of eleven or more ranches (by Central Nevada standards) there is now a deserted wasteland. It seems that after the electronic warfare systems were installed that low level flights increased dramatically rendering Dixie Valley unfit for human habitation. Is this to be the fate of the rest of Central Nevada? Shouldn't that possibility be laid out in detail now? Shouldn't a ranch by ranch inventory be made so that Lander, Eureka, and Nye Counties might asses the impact in the event that the Navy continues its valley by valley march through the rest of Central Nevada? Haven't we been taught that history does repeat itself?

31-3 (cont'd)

Right: Navy torches Johnson Ranch, Dixie Valley, 1988.

Very truly yours,

Earl L. Crockett

Letter 31 (cont'd)

October 20, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz. CA 95062
831-457-16523

Bureau of Land Management
Carson City Field Office
Attention: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

Subject: Comments on Draft Environmental Impact Statement (DEIS)-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. Regarding inadequacy of deployment, operation, and usage specifications.

Dear Ms. Knutson:

The above referenced DEIS is inadequate because it reaches a conclusion of "no significant impact" based on non-quantifiable, and therefore unenforceable, specifications of equipment deployment, operations, and usage. In section (2.2.2) paragraphs six, seven, and eight we are given a brief glimpse of what usage might be, but are left uniformed by such phrases as "a maximum of 20 training evolutions would use these systems per year." with no indication whatsoever as to what a "training evolution" might be. **31-4**

The above referenced DEIS is also inadequate because it gives no data concerning the night lighting of these systems, and the noise level of the power generators and other equipment. This is critical information when deploying such gross equipment into otherwise unoccupied valleys heretofore used exclusively for recreation. **31-5**

The BLM proposes to grant a right-of-way to the Navy for this usage. Unless very specific conditions of use are developed the Navy will be free to do anything it please once the NEPA process is over. The BLM doesn't tell a rancher "Yea you can run cattle on that land." And it shouldn't do the same with the Navy. **31-6**

Very truly yours,

Earl L. Crockett

October 20, 1999 Letter

Response to Comment 31-4. The maximum duration of mobile EW site usage is described in Section 2.2.2 of the EIS; the maximum was used to determine the greatest potential impacts from use of these sites. As described in Section 2.2.2, initially only two or three total sites at a time would be occupied. As more assets are acquired, more sites could be occupied at one time. Mobile shooter sites would be used for up to 48 hours at a time, while mobile acquisition sites would be used for up to two weeks at a time.

Equipment similar to mobile EW systems is currently located on Navy property and on public lands under rights-of-way. Analysis of potential impacts associated with the proposed granting of rights-of-way for temporary usage indicates that impacts would not be significant.

Response to Comment 31-5. The following text has been added to the end of Section 4.13.2 of the Final EIS to describe noise impacts from generator use at mobile EW sites:

"Noise levels would be similar to those from generators found in recreational vehicles or generators used on construction sites. These noise effects would be localized and temporary."

The following text has been added to Sections 2.2.1 and 2.2.2 of the Final EIS to describe lighting on EW systems:

"Fixed EW site lighting would include regular white lighting (e.g., porch lights to illuminate sidewalks and yard lights when maintenance is being done on equipment) and filtered red and/or blue warning lights that indicate when radars are operational. Lighting would be turned off when the equipment is not in use and when operators leave the sites."

"Mobile EW sites would have filtered red and/or blue warning lights and occasional external lighting or internal lights on the mobile maintenance-type trailers."

Section 2.3, Standard Operating Procedures, and Section 4.8.1 of the EIS indicate that light filters would be installed on operational warning lights to decrease the reach of light transmission.

Response to Comment 31-6. BLM rights-of-way grants contain site-specific terms and conditions that must be followed to implement the action being proposed in the right-of-way. Some of these terms and conditions are included in Section 2.3, Standard Operating Procedures, of the EIS. The stipulations contained in the rights-of-way grants would prevent the Navy from exceeding the scope of the Final EIS.

Letter 31 (cont'd)

Received
Oct. 25, 1999

October 21, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz. CA 95062
831-457-16523

Bureau of Land Management
Carson City Field Office
Attention: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

Subject: Comments on Draft Environmental Impact Statement (DEIS)-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. Regarding unlawful proceeding.

Dear Ms. Knutson:

The above referenced DEIS is inadequate, if not un-lawful, because it attempts to legitimize an expanded usage of an existing activity of the Navy that in itself does not comply with the legal provisions of the National Environmental Policy Act (NEPA), or the Federal Aviation Administration Regulations (FAAR's) which govern the legal usage of airspace. (For supporting documentation of these claims please see Exhibit A "Airspace Blues") **31-7**

In addition the above referenced DEIS is also inadequate, if not unlawful, because it attempts to expand an existing activity of the Navy over public lands administered by the Department of Interior, Bureau of Land Management, that does not comply with the legal provisions of the Federal Land Policy and Management Act of 1976 (FLPMA). Specifically the Navy's low-level high speed and supersonic flights over public lands, the bombardment of public lands with toxic non-biodegradable chaff, and the deployment and use of electronic warfare devices violates Section 43 USC 1701 paragraph (8) which states: **31-8**

- "(8) the public lands be managed in a manner that will protect the quality of the scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition: that will provide food and habitat for fish and wildlife and domestic animals: and that will provide for outdoor recreation and human occupancy and use;"

October 21, 1999 Letter

Response to Comment 31-7. The FAA is a cooperating agency in this EIS and must approve decisions related to airspace. *Airspace Blues* has been reviewed and found to refer to national airspace management and issues beyond the scope of this EIS. None of the alternatives presented in this EIS would expand the lateral boundaries of airspace or propose significantly different usage of existing airspace. In the interest of reducing the size and cost of the EIS, the 430-page attachment has not been published in the Final EIS. Attachments are available for review at the BLM Carson City and Battle Mountain Field Offices.

Response to Comment 31-8. The actions proposed on public lands comply with the Federal Land Policy Management Act of 1976 (FLPMA). Congress has recognized that public lands may be used by all federal agencies and departments, including the military services, for purposes related to their mission and programs.

Letter 31 (cont'd)

The above referenced DEIS is also inadequate, if not unlawful, because it attempts to cover up, or gloss over, the fact that the Department of Interior, Bureau of Land Management, is not presently administering the public lands of Central Nevada, concerning the Navy's usage of airspace and grounds, in compliance with their mandated duties under the Federal Land Policy and Management Act of 1976. In fact it is hereby asserted that the above referenced DEIS is an attempt to legitimize an illegal collusion, or more specifically racketeering activity, between the United States Navy, and the Office of the Secretary of the Department of Interior, the purpose of which is to deny the public of the United States, and the citizens of Central Nevada, their rightful access, usage and full peaceful enjoyment of public lands as is clearly stipulated in the Federal Land Policy and Management Act of 1976. **31-9**

Very truly yours,

Earl L. Crockett

Response to Comment 31-9. At the request of several members of the public, a summary of the events leading up to development of the EIS has been included in Section 1.2 of the EIS.

October 22, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz. CA 95062
831-457-16523

Bureau of Land Management
Carson City Field Office
Attention: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

Subject: Comments on Draft Environmental Impact Statement (DEIS)-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. Regarding the non-applicability of Federal Land Policy and Management Act (FLPMA) "right-of-way" provision for the deployment electronic warfare systems.

Dear Ms. Knutson:

The above referenced DEIS is inadequate, if not un-lawful, as it is based on the erroneous assumption that electronic warfare systems qualify under the FLPMA's right of way provisions. 43 USC 1761 Sec. 501 (5) states:

- "...systems for transmission or reception of radio, television, telegraph, and other electronic signals, and other means of communication;"

31-10

Electronic warfare "shooters" and "trackers" do not qualify as means of communication within the FLPMA definitions.

Very truly yours,

Earl L. Crockett

October 22, 1999 Letter

Response to Comment 31-10. The BLM has determined that electronic warfare systems may be an allowable use on some public lands.

Letter 31 (cont'd)

October 22, 1999

Earl L. Crockett
343 Soquel Avenue
Santa Cruz. CA 95062
831-457-16523

Bureau of Land Management
Carson City Field Office
Attention: Terri Knutson
5656 Morgon Mill Road
Carson City, NV 89701

Subject: Comments on Draft Environmental Impact Statement (DEIS)-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, Nevada. Inadequacy of the DEIS regarding Smith Creek Valley "recreation" use.

Dear Ms. Knutson:

Recreational uses **do** occur in Smith Creek Valley, and they are concentrated in the dry lakebed area. Your description in section 3.10 of the DEIS paragraph six is in error. What the DEIS fails to evaluate is the untouched pristine wilderness environment of Smith Creek Valley that draws many campers and land sailors to its healing peaceful solitude. **31-11**

October 22, 1999 Letter

Response to Comment 31-11. Section 3.10 of the EIS has been amended to reflect land sailing as a recreation use in Smith Creek Valley.

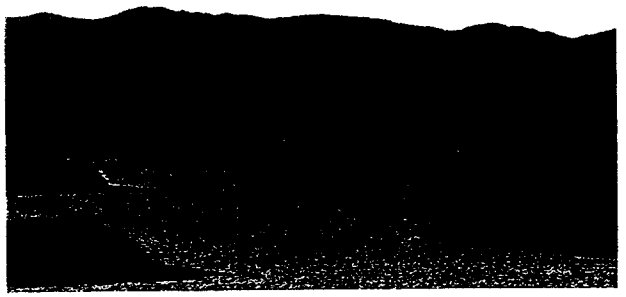
The speaker's comments are noted.

My own interest in keeping Smith Creek Valley in its present undeveloped and beautiful state is much more personal. I consider Smith Creek Valley, the dry lakebed, and the surrounding mountains to be sacred. That is, my wife and I, and on occasion other friends, camp out on the dry lakebed several times a year to pray. As it is with other places deemed to be "sacred sites" by indigenous tribes and ancient cultures throughout the world, we find the veil between the spirit and material world to be very thin on the Smith Creek Valley lakebed.

It takes a significant amount of effort for us to pack and travel to Smith Creek Valley. And the lakebed (again like many other sacred sites) can present many difficult challenges from hurricane force dust devil winds to temperature extremes from 110 degrees F during the day to 20 F degrees or lower at night. When one asks for healing in the magnitude available at the lakebed, there always seems to be hurtles placed in the path to test ones mettle. If you can stick it out, however, we have never failed to be offered an incredible rejuvenating healing experience. It seems that the more difficult, hot and dusty the day is the more serene and wonderful the evening becomes as a large full moon appears from behind Dancing Chiefs Mountain (on the South side of Iron Mt.).

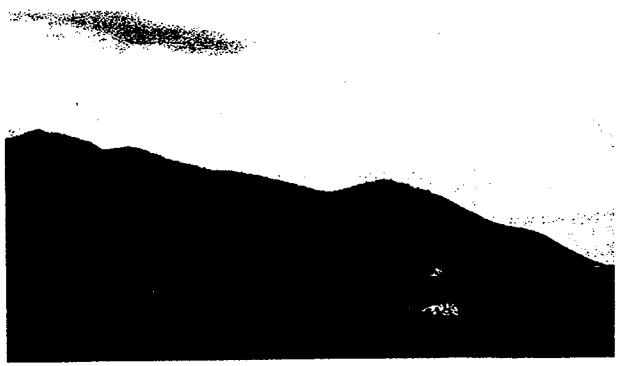
31-11 (cont'd)

Letter 31 (cont'd)



As the moon rises, and its rays reach out, the high mica content dry lakebed illuminates into a magic wonderland. It seems that you can reach out and touch the mountains South, West, North, and East that border Smith Creek Valley. It also seems that you can touch the stars. In this place of vastness a presence of connectiveness prevails; that is, a sense of belonging to a larger purpose- one that comes from a heart filled place of love. We dance, we sing, we drum, we rattle, we pray the night through until the moon dips low, and the sun comes up behind Dancing Chiefs Mountain. And this time as the rays' race across the valley floor we are serenaded by waking coyotes. The cycle is complete.

31-11 (cont'd)



Letter 31 (cont'd)

Into this sacred place of healing the Navy proposes to locate and operate electronic warfare systems complete with trucks, cars, radars, threat emitters, shooters, flashing lights, warning horns, security guards, gasoline and diesel power generators, etc. etc. And they propose to use these electronic warfare systems 24 hours per day; that is day and night. It also appears that "Alternative II" (Two Valleys-Fixed and Four Valleys-Mobile) is the alternative of choice of the Navy. This means that five mobile sites ("A" through "E") will be used in Smith Creek Valley (See page C-7 Figure C-5). The proposed mobile site "A" is about ¼ mile due East of our campsite and in full view. In fact mobile sites "A", "B", and "C" all are within view of anyone camping out or otherwise using the lakebed. The proposed electronic warfare system occupation and usage by the Navy will corrupt the peaceful sanctity of Smith Creek Valley forever. It should not be allowed. The proposed mobile sites "A", "B", and "C" should be dropped from the plan. **31-11 (cont'd)**

I also want to assert that my usage of Smith Creek Valley is just as important, if not more important, to the common good of our great nation than the Navy's proposed use. What I always pray for (after asking for my own healing) is for the restoration of our world to a place of peace; a place of peace where we can set aside our need to waste $250 billion dollars per year plus, and untold numbers of lives, on destructive military activities while millions starve for lack of food and shelter.

Smith Creek Valley is my church. Would you allow an electronic warfare system to be installed on the dais of your church? Please do not allow it to happen to mine.

Very truly yours,

Earl L. Crockett

Letter 32

FALLON RANGE TRAINING COMPLEX REQUIREMENTS
DRAFT EIS

NAS FALLON, NEVADA

Comment Card

1999 NOV 15 PM 3:58
BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE

Please write your comments and suggestions regarding the potential environmental and socioeconomic issues resulting from the proposed action in the space provided below. You may attach additional sheets of paper, as necessary. Comments may be mailed or faxed by October 13, 1999 to: Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, NV 89701, Attn: Terri Knutson, Project Manager. Comments may also be sent via electronic mail to the following address: tknutson@nv.blm.gov or via FAX: (775) 885-6147.

the residents of central Nevada and the public who work, travel, play, hunt or enjoy central Nevada have been badly mistreated throughout the whole process of deciding the placement of the electronic warfare sites. 32-1

The contest for the placement of the EW sites culminated in the Central Nevada Communication Sites Final Plan Amendment dated June 24, 1996. This document gave all the reasoning why EW sites would be prohibited outside of the Dixie Valley area.

— Continued —

JOE DAHL
Name

November 11, 1999
Date

PO Box 2391
FALLON, NEVADA 89406
Address

Affiliation (if applicable)

Response to Comment 32-1. At the request of several members of the public, a summary of the events leading up to development of the EIS has been included in Section 1.2 of the EIS.

The attachment is part of the public record for the *Central Nevada Communication Sites Final Plan Amendment, 1996*. In the interest of reducing the size and cost of the EIS, attachments have not been published in the Final EIS. Attachments are available for review at the BLM Carson City and Battle Mountain Field Offices.

the Central Nevada Communication Sites Modified Final Plan Amendment dated August 21, 1998 used the same language and reasoning to allow EW sites outside of the Dixie Valley area. The explaination, in the later document, for the change is because, "On August 1, 1996, the Navy filed a protest of the final plan amendment." The protest stated, "the requests of the State of Nevada and a few residents of central Nevada are insufficient to trigger the amendment."

Your Draft EIS approaches the question as though it is a new idea — as though there were no years of struggle and work by so many people — as though there was never a conclusion — as though there was never a BLM DECISION that was reversed simply because of the Navy protest, without public involvement. (see Federal Land Policy and Management Act of 1976 Sec. 103 (d))

The Final Plan Amendment, June 24, 1996, was done exactly as required by NEPA. the Modified Plan, August 21, 1998, triggered by the Navy protest, and done in secret in Washington, D.C. is phony.

Your Draft EIS is neither accurate nor adequate without the history of why the Navy wrote the Fallon Range Training Complex Requirements Document dated 25 November 1998. these ~~unusual~~ unusual procedures must be addressed.

32-1 (cont'd)

Further this Draft EIS is inadequate without, at least, a passing mention of the Navy history in Dixie Valley, including the Navy buy out of private ground and the fact that no one lives there any more because of the cumulative effects of Navy activity.

The Draft EIS preparers have a high tolerance for change since this document is loaded up with "no significant impacts". It's inadequate and just plain silly to not own up to some more "significant impacts".

I request that the enclosed letter from concerned Citizens of Central Nevada, dated Sept. 28, 1998, be included in, and become a part of, my comments on the Draft EIS.

32-1 (cont'd)

Letter 33

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: These activities are unacceptable to me: the 4 Electronic Warfare sites on public lands; laser getting in Dixie Valley; Bellfire missile training; Black Rock airspace increase 33-1

Name and Address: Jan Gilbert, 6185 Frankstown Rd Carson City NV 89704

Response to Comment 33-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 34

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: The way I look at it is that the military (accompanying all services). has taken advantage of the public's good will & taxes way, way, far, far too long. I sincerely believe this country would do well to have a National Guard to help the people during crises. If we stopped arming other countries we would have no reason for defense. 34-1

Name and Address: Maxine Shirley Gorman
2875 Idlewild Dr #97, Reno 89509

Letter 34
Maxine Shirley Gorman

Response to Comment 34-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 35

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist. **35-1**

Comments:

Name and Address: Helaine Greenberg – 2273 Rainwood Ct
Reno, NV. 89509

Response to Comment 35-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 36

"Carl and Del Haas" <cd-haas@concentric.net> on 09/20/99 10:36:13 AM

Please respond to "Carl and Del Haas" <cd-haas@concentric.net>

To: Terri Knutson/CCFO/NV/BLM/DOI
cc:
Subject Objection to Expansion of Military Operations in Smoky Valley
:

Mr. Terri Knutson
EIS Project Manager
Bureau of Land Management
5665 Morgan Mill Road
Carson City, Nevada 89701

Dear Mr. Knutson:

I am sending this E Mail to you to object to any further expansion of Military operations in Smoky Valley.

As a resident for over 30 years, I have watched Smoky Valley grow from just a few isolated ranches to a valley of over 3500 residents. The lifestyle is very desirable for not only the old residents, but for the new residents as well.

Because we have a sizable population that is growing each year, any increase in military operations in the Smoky Valley area causes great concern.

Right now, there are military jets flying over the valley at approximately 500 feet above the surface. This has been going on for years, and even though we have concentrated areas of population where flying that low is not allowed, the jets do it anyway.

No one seems to pay any attention to the objections of the low flight path. that have been raised by the citizens of Smoky Valley for many years. Because of this, we feel that by supporting even a small military expansion that would not detract from our lifestyle, as we have been told this one would not do, there is no guarantee that it will be the case. **36-1**

We have many residents that have served their country in the past wars, from World War II through Desert Storm living in Smoky Valley and all of us are very patriotic. You will not find any group more so than here.

Our concern is that we enjoy the lifestyle that we have right now and are not convinced that we will be able to continue to enjoy it. Therefore we do not want any further expansion by the military.

In addition there is substantial general aviation traffic in the valley, which is already at the mercy of unannounced low flying, high speed aircraft. Any increase in high speed aircraft, operating under the same set of circumstances as now, would be unsafe for slower aircraft.

Because of the concerns mentioned above, I would like to respectively request that the military consider another site for the permanent Electronic Warfare Sites.

Thank you.

Mrs. Del Haas

- att-1.htm

Response to Comment 36-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1. The preferred alternative identified in the Final EIS (Alternative II) would not place a fixed EW site in Big Smoky Valley.

The Navy is aware of the problems associated with aircraft training activity, particularly low-level training, and is working to reduce these problems. Measures implemented by the Navy over the last two years, such as moving the boundaries of the supersonic operations areas farther north, increasing emphasis on aircrew procedural awareness, and increasing real-time flight monitoring, have proven effective in reducing the number of noise complaints by approximately fifty percent during this 24-month timeframe. In 1997, 273 complaints were logged, in 1998, 217 complaints were logged, and in 1999, 124 complaints were logged (up to September 30, 1999).

Letter 37

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: As a resident of Smoky Valley I am opposed to any additional flights or sites in our valley 37-1

Sincerely,
Irene F. Hargis

775-964-2502

Name and Address: Irene F. Hargis
HC 65 Box A Austin Nev 89310

Letter 37
Irene F. Hargis

Response to Comment 37-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 38

HENDRIX BAIT & TACKLE
570 N. DOWNS LANE FALLON, NEVADA 89406
(702) 423-4254

October 13, 1999

Bureau of Land Management
Carson City Field Office
5656 Morgon Mill Road
Carson City, NV 89701

Attention: Terri Knudson

Subject: DEIS-Proposed Fallon Range Training Complex Requirements Naval Air Station, Fallon, NV

Dear Terri,

As a concerned citizen of Churchill County, Nevada, and one who has followed the Navy-proposed Fallon Range Training Complex Reg of NAS Fallon for many years, I am requesting an extension of 60 to 90 days for the comment period. 38-1

There are many complex issues that haven't been adequately addressed. There are questions that have not been satisfactorily answered.

Without an extension, I feel the rights of the citizens of Nevada are in jeopardy of being neglected.

Thank you,

Wayne Hendrix

Response to Comment 38-1. The public review period was extended to November 12, 1999.

Letter 39

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: NO! after 23 years of military Service I can't believe you are going to spoil this peaceful Valley when you have more than your share of land outside of Fallon. Use the land you were already given + leave Smoky Valley Alone. You as the military go to these meetings + tell the Civilians what they want to hear + not the truth. Stay Out. 39-1

Name and Address: Deborah Hughes + Tom Hughes
HC 60 Box CH 307 Round Mtn. NV. 89045

Letter 39
Deborah and Tom Hughes

Response to Comment 39-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 40

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: It is urgent that you disapprove this proposed increase on both public and Navy-owned lands in Nevada, before we lose all the residents of central Nevada. 40-1

Name and Address: William H. Jacobson, Jr., 1411 Samuel Way, Reno, NV 89509

Response to Comment 40-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 41

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: Not in favor of so much going on over the lands of Nevada!!!! 41-1

Name and Address: Mrs. Juanita Jensen & Oscar Jensen
950 Osgood Ph. Reno 89509

Response to Comment 41-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 42

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments:

Do not allow the establishment of permanent electronic warfare sites on public lands, including those proposed for Edwards Creek Valley, Gibbs Valley, Smith Creek Valley, and Big Smoky Valley. 42-1

Name and Address: Abby Johnson 617 Terrace St. Carson City NV 89703

Comment Card

Response to Comment 42-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 42 (cont'd)

Abigail C. Johnson
617 Terrace Street
Carson City, NV 89703
775/882-0296

November 12, 1999

Bureau of Land Management
Carson City Field Office
Attn: Terri Knutson
5656 Morgan Mill Road
Carson City, NV 89701

BUREAU OF LAND MGMT
CARSON CITY
FIELD OFFICE
1999 NOV 15 PM 12: 49

Dear Ms. Knutson:

Thank you for extending the comment period on the Proposed Fallon Range Training Complex Requirements Naval Air Station Fallon, Nevada DEIS.

I have the following concerns:

- The Draft EIS is inadequate because it does not provide sufficient information about when the Diamond and Duckwater ALTRV's would be in use. Also, the document does not adequately explain possible NAS Fallon impacts to commercial air traffic in the region. **42-2**

- The socioeconomic data itself is flawed, and the analysis of socioeconomic impacts in Chapters 3 and 4 are inadequate and do not reflect the disproportionate impacts of Fallon NAS on rural Nevada. **42-3**

- The designation of the majority of airspace over Eureka County as ALTRV's is a major federal action, and requires a thorough NEPA analysis. This document does not provide an adequate analysis. Use of such a large area through FAA permitting is unacceptable because it does not address the analyses required by NEPA. **42-4**

- I am concerned that in the future the Navy will change the use of the land, similar to what has happened in Dixie Valley where the Navy purchased private land in Dixie Valley to control airspace. The lands in Dixie Valley are now used by the Navy **42-5**

November 12, 1999 Letter

Response to Comment 42-2. Please see the response to comments 12-1 and 12-3.

Response to Comment 42-3. Please see the response to comment 12-7.

Response to Comment 42-4. Please see the response to comment 12-1.

Response to Comment 42-5. There is no correlation between the Navy purchasing Dixie Valley lands to mitigate for impacts from supersonic operations and the use of high altitude temporary airspace areas, such as ALTRVs and ATCAAs, that are controlled by the FAA and that are located above 18,000 feet above mean sea level.

for military purposes other than controlling airspace. The Navy should not use lands outside its control because in the future it is likely that the Navy will seek to change their use of these ALTRV's to other more restrictive uses such as MOA designation. The DEIS should be expanded to adequately analyze impacts to the region from "airspace creep," the incremental taking of Nevada's land and airspace by the military

42-5 (cont'd)

Thank you for considering my comments.

Sincerely,

Abigail C. Johnson

Abigail C. Johnson

Letter 43

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I have been a Nevada Resident for forty years and the Military has been constantly taking our land. I have lived in Dixie Valley and Eldorado Canyon Valley, and the Military made it impossible to live there. Now I am living in Smoky Valley and now they want this. Enough is Enough. Please have a few peaceful places in Nevada for Americans. Kathleen Johnson

Name and Address: Kathleen Johnson
HC 60 37804 Round Mt, NV 89045

43-1

Letter 43
Kathleen Johnson

Response to Comment 43-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 44

I AM ~~We are~~ extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I am especially concerned over the impact on Black Rock Desert, Smith Creek Valley and Big Smoky Valley 44-1

Name and Address: RON JOHNSON
1010 LaRue Reno, NV 89509

Response to Comment 44-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 45

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: Please do not build any more Warfare sites and no more missle ranges. The Navy has disrupted our lives. They are already playing there war games and dropping who-knows-what out of their planes. Enough is enough. Leave our land alone. Their sonic bomes are already enough. 45-1

Name and Address: Sharon T. Johnson PO Box 171 Austin, NV 89310.

Letter 45
Sharon T. Johnson

Response to Comment 45-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 46

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: At one time I lived directly under the main take off runway at Biggs Air Force Base in El Paso, Texas ~~Albuquerque~~ when the B-52's took off. Also, I have been close to the Reno airport when F-4's from the Air Guard took off. They are "the sounds of Freedom" for we indulgent and selfish Americans. Naval air crews go out to all parts of the world to protect our interests. They need isolated air space for their training and safety. Nevada has plenty of such space. Would the opponents suggest that such activity be done over down-town San Francisco, Denver or Atlanta? Get real, folks. 46-1

Name and Address: Robert L. Kersey Ruth Kersey
145 Edgewater Parkway, Reno, NV 89509-2171

Letter 46
Robert L. and Ruth Kersey

Response to Comment 46-1. The commenters' remarks on the Navy's proposal are noted.

Letter 47

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: If This is happening at Spencer Springs then this is a play to steal the Natural hot springs for military use in Geothermal uses.

The AIRCRAFT are a danger to the lives, Health & Safety of the people LIVING IN the Smoky Valley. At This time AIRCRAFT Fly As Low as 75 feet above the Valley Floor. I see the so called "males" in the Cockpit & I'm the Woman Gardening that Gives them the Italian Salute. 47-1

At this time There are 4,500 People Living in Smoky Valley, Not many but our Federal taxes buy your way in Life. Chase Us Away And You Starve Sucker!

Name and Address: You ARE Contaminating The Area w/your Offall. Foil Hydrocarbons Etc.

Eleanor K. Miller-Kirkpatrick HC65 Box 173 7 Plumas Kingston, Austin NV 89310

Eleanor K Miller Kirkpatrick 10/13/99 3:00 PM

Received This at Two Thirty 10/13/99

Would have been Nice If General Public had information Sooner Than 2 1/2 hours prior to dead line of Comment period. Locals have Rights Too and You are once Again Violating them. I Sure Wish I Could have Your No Power Too!

Response to Comment 47-1. The Navy is not proposing any activity at Spencer Hot Springs. As shown in Figure C-7 in Appendix C of the EIS, the nearest site to Spencer Hot Springs (Mobile C) is over two miles away from the hot springs. The locations of the EW sites were chosen specifically to avoid being seen or heard at the hot springs when mobile sites are occupied and the systems are operational.

The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 48

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist. 48-1

Comments:

Name and Address: Tony Latham

Response to Comment 48-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 49

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I OWN LAND IN FAIRVIEW PEAK AREA. THE NAVY HAS STOLEN MY ACCESS AND REFUSE ME ENTRY.

I AM OPPOSED TO ANY FURTHER INCREASE OF LAND OR AIR WITHDRAWALS IN NEVADA BY THE NAVY. 49-1

THE NAVY IS DESTROYING PRIVATE PROPERTY BY WHAT THEY ARE DOING

Name and Address: FRANK W. LEWIS 120 GREEN RIDGE DR., RENO NEVADA 89509

Response to Comment 49-1. Access to Fairview Peak was closed under an emergency closure order due to the presence of off-range ordnance; these lands have been withdrawn by the Navy. The Navy is not proposing any additional airspace designations or land withdrawals under the proposed action or alternatives evaluated in the EIS. Many actions would take place on Navy-administered lands; actions on BLM-administered public lands would be accomplished via rights-of-ways.

Letter 50

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I Am very much opposed to this, This will interrupt our wildlife our concerns with the quiet peaceful surroundings of our Valley will be interrupted also, Please Dont let this Happen 50-1

Name and Address Andrea L. Madziarele
PO Box 1143 Rnd Mtn Nev 89045

Letter 50
Andrea Madziarele

Response to Comment 50-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1. As discussed in Section 4.3, no impacts to wildlife were identified.

Letter 51

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I am concerned about reduced opportunity for solitude due to military activity — something I've enjoyed for over 30 years in Nevada. 51-1

As a pilot (private) I am opposed to any increase in MOA airspace in the Black Rock Desert for reasons of safety and solitude

Name and Address: Don Molde 3290 Penfield Circle
Reno, Nevada 89502

Letter 51
Don Molde

Response to Comment 51-1. The commenter's concern about reduced opportunity for solitude is noted. Please see the response to comment 21-1.

Letter 52

COMMENTS FOR FALLON RANGER TRAINING REQUIREMENTS
DRAFT EIS

RE: EXECUTIVE SUMMARY

VISUAL RESOURCES

"Mobile EW sites provide no visual contrast". **Wrong. They provide contrast when in place of use which could be one of any number of possible sites.** 52-1

RECREATION

"No significant impacts, including to Spencer's Hot Springs". **Wrong. Location of either fixed or mobile activities in the area of Spencer's Hot Springs creates potential disruption of the aesthetics and tranquility of the area.**

RE: ALTERNATIVE I

Per figure 2-7, mobile EW sites would be within visual and *spitting* distance of Spencer's Hot Springs. Would disrupt tranquility and ambience of Spencer's area for recreational users. 52-2

OTHER COMMENTS:

I could find no statement of impact to people, wildlife and the landscape from the prolific use of chaff. Chaff has, apparently, not been studied or considered as to any impacts. This is a major flaw in the EIS. Chaff has unknown impacts to all of the above yet nowhere is it addressed in this EIS. The use of Chaff at high altitude puts it into winds that can carry it for hundreds of miles with an unknown pattern of deposition onto the landscape. 52-3

There is no mention of **minimum altitudes** that are proscribed for training jet aircraft. Given the frequency of pilot error in flying out of approved corridors, below acceptable or approved altitudes, and in excess of the sound barrier it is inconceivable that the Navy or BLM has not addressed this topic in the EIS.

I fully support the U.S. Navy and their training missions and requirements. However, they are unacceptably and blissfully ignorant of the negative impacts to area residents caused by pilots who are either ignorant or deliberately in violation of approved flight corridors, altitudes and speeds. 52-4

The U.S. Navy could easily mitigate a large amount of ill will from citizens if they could simply keep jet pilots under control during training. What is so hard to understand about that? The standard excuse of "jet pilots are necessarily arrogant and high powered individuals that must play" (i.e., stray from approved corridors, altitudes and speeds) doesn't wash. The intelligence required to fly the complicated and high powered jets at issue pre-supposes their ability to fly by the rules.

Response to Comment 52-1. Mobile EW sites would provide a moderate degree of modification to the landscape when in use; this modification would be similar to tractor trailers, recreational vehicles, or construction equipment pulled off to the side of the road. This use is consistent with the visual resource management (VRM) Class III and Class IV objectives described in Section 3.8 of the EIS. Section 4.8.1 has been revised as follows:

"Mobile EW sites would not alter the viewshed when unoccupied. When in use, these sites would provide a moderate degree of visual contrast that is consistent with VRM Class III and Class IV management objectives."

Response to Comment 52-2. No significant impacts to Spencer Hot Springs would occur given the distance to the nearest mobile EW site (over two miles to Mobile C) and the topography between the hot springs and the site. Figure C-7 in Appendix C provides a clearer representation of the location of the proposed sites in relation to the hot springs. These locations were chosen specifically to avoid being seen or heard at the hot springs when mobile sites are occupied and the systems are operational.

Response to Comment 52-3. Chaff use would not change as a result of the proposed action or alternatives.

Previous studies on the effects of chaff have been summarized in two environmental impact statements prepared by the Navy for actions proposed at NAS Fallon (US Navy 1998c, 1999a). In response to a General Accounting Office (GAO) report, a Blue Ribbon Panel study was completed on the subject of chaff: Environmental Effects of RF Chaff, A Select Panel Report to the Undersecretary of Defense for Environmental Security, published August 31, 1999 (US Navy 1999h). The study concluded that there are no known negative environmental effects from RF chaff use by DOD and recommended that additional research be conducted on resuspension and fate of RF chaff and that the environmental effects of degradable chaff also be evaluated. The funding and coordination of these studies are currently being pursued.

Response to Comment 52-4. Minimum altitudes for training aircraft are determined by the boundaries of designated military airspace and restrictions placed on flight operations within these areas, such as establishing areas of avoidance over towns. The proposed action and alternatives evaluated in the EIS would affect four airspace areas associated with NAS Fallon; these areas, including their altitudes, are shown on Table 3-1 in Section 3.2. Flight operations and patterns within other military airspace would not change as a result of the actions proposed in the EIS (Section 4.2).

The Navy is aware of the problems associated with aircraft training activity, particularly low-level training, and is working to reduce these problems. Measures implemented by the Navy over the last two years, such as moving the boundaries of the supersonic operations areas farther north, increased emphasis on aircrew procedural awareness, and increased real-time flight monitoring have proven effective in reducing the number of noise complaints by approximately fifty percent during this 24-month timeframe. The Navy has also streamlined its process for assessing and reimbursing damage claims.

Letter 52 (cont'd)

The U.S. Navy's continued intransigence on this issue is greatly disturbing to me. Keep these pilots under control during training and local opposition would be greatly minimized to the point of being a non-issue. These pilots are highly skilled and intelligent. The Navy has both the technology and infrastructure to eliminate this problem.

52-4 (cont'd)

If Command can't deal with this then they overlook the simple answer to much of the negative input generated by Nevadan's. Command would be, therefore, irresponsible and incompetent. The answer to their problem is simply **KEEP THE PILOTS UNDER CONTROL DURING TRAINING.**

I support the recommended action as the least intrusive and disruptive of any of the listed plans. All listed alternatives are clearly more disruptive and intrusive to the public, recreation and the ambience and tranquility of Nevada's open spaces.

Keith Penner
Name

11 October 1999

16783 Carson Highway, Fallon NV 89406
Address

Private Citizen
Affiliation (if applicable)

Installing four additional tracking instrumentation subsystem sites (Figure 2-1) as proposed in this EIS will provide tracking coverage to areas of central Nevada that are not adequately covered by the existing tracking network. This increased tracking ability would allow NAS Fallon to better track training aircraft and would provide better pilot accountability. If review of the tracking information finds that a violation has occurred, appropriate action would be taken.

Letter 53

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments:

We are not interested in ruining the rural life that we have come to enjoy. The main reason for living here has been due to the peace & quiet. If this took place it would ruin the charm of the area. 53-1

Name and Address: Dede Pugh
P.O. Box 1074 Round Mtn. Nevada 89045

Response to Comment 53-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 54

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I want you to know that I am a Nevada resident of 25 yrs, professionally employed & pay my taxes. I am adamently opposed to increasing Military Encroachment on Nevada Public Lands. Please stop the Military from forcing itself down the throats of us all. We all know that bombs, & sonic booms, & all the infra structure that supports them is destructive. Nevada is unique & beautiful. I want it to stay that way for our grandchildren & their grandchildren. Please help. Thank

54-1

Name and Address: Jill Ransom 2750 Dickerson Rd #A Reno Nv 89503

Letter 54
Jill Ransom

Response to Comment 54-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 55

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I am particularly disturbed by the increase in the Reno MOA over the Black Rock Desert, an area of great importance 55-1

Name and Address: Marjorie Sill, 720 Brookfield Dr, Reno, NV 89503

Letter 55
Marjorie Sill

Response to Comment 55-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 56

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments:

The Navy analyzes the impact of sonic booms by averaging them out - for instance, 10 sonic booms a day, 3 secs each at 130dB = 30 secs of noise divided into 24 hours yields 20? Suprise! No Problem!

People don't drown in the average depth of the stream, it's the deep spots that kill you. 56-1

The BLM does not have the man power or will power to enforce any conditions or limitations on the Navy. The local Navy people are not from here and they expect to be gone in a year or two - they don't care what happens here.

Name and Address:

Peter J. Smith
1206 N. Nevada St.
Carson City, NV 89703

Sorry, [illegible] 9/29/99

Letter 56
Peter J. Smith

Response to Comment 56-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1. The proposed action and alternatives would not result in additional sonic booms.

Letter 57

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

- **Four permanent Electronic Warfare sites would be allowed on public lands In Edwards Creek Valley, Gabbs Valley, Smith Creek Valley, and Big Smoky Valley.Threat emitters are directly related to low level military air combat training. They are manned with military troops and patrolled by security forces.**

- Close air support training including laser spotting, on Navy administered lands in Dixie Valley

- Hellfire missile training and high altitude weapons delivery training at the B-17 and B-20 training ranges.

- Military airspace, known as the Reno MOA, would be increased over the Black Rock Desert to allow for high altitude weapons delivery training new restricted area airspace would be developed over existing restricted area airspace to 35,000 feet above mean sea level.

NO

WE WANT THE "TRACKING INSTURMENT SYSTEMS 6 sq. ft. X 20' high ONLY. . .

Mr + Mrs. Richard W. Smucker

57-1

Name and Address: Mr. & Mrs. R. W. Smucker
HC 61 Box 6112
Austin, NV 89310-9001

Letter 57
Mrs. and Mr. R. W. Smucker

Response to Comment 57-1. The commenters' concern regarding military training is noted. Please see the response to comment 21-1.

Letter 58

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: Please consider what the Navy has in mind - ~~[illegible]~~ placing control on the ground. They expanded their airspace to the dismay of Central Nevada residents. I oppose what they have done in the past and oppose what they are presently proposing to do. 58-1

Name and Address: ~~Jay C. Winrod~~
Jay C Winrod PO Box 186 Austin NV 89310

Letter 58
Jay C. Winrod

Response to Comment 58-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 59

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I grew up enjoying the peacefullness and beauty of the Big Smokey Valley & I strongly am against any further military developement of our land it would be unfair to the youth of this area to take away the freedom to enjoy & explore the beauty of this valley that I so enjoyed when I grew up here. Please do not allow this to happen. 59-1

Name and Address: Lisa marie Yerkey, HC 60 Box 578102 Round mountain, Nevada 89045

Letter 59
Lisa Marie Yerkey

Response to Comment 59-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 60

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: As long time Rancher/Farmers in Smoky Valley we are strongly opposed to any increase in Navy flights or additional sites being built in our area. 60-1

Patricia Young
HC 65 Box A
Smoky Valley
Austin, NV. 89310
775-964-2504

Name and Address: Patricia Young
HC 65 Box A Austin, NV. 89310

Letter 60
Patricia Young

Response to Comment 60-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

Letter 61

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I am strongly apposed to any more military flights in the smokey valley or any New installations They will Dis Rupt Live stock, Bighorn sheep wild life Access to Recreation Areas Disturb the Tranquility of Smokey Valley and would Prezent undue Hazard to Residents And Traffic in the valley 61-1

Name and Address: Roland F Zybell II Hc60 Box 378101 Round mountain Nv. 89045

Letter 61
Roland F. Zybell, II

Response to Comment 61-1. The commenter's concern regarding military training is noted. Please see the response to comment 21-1.

None of the actions proposed in the EIS would restrict access on public lands with the exception of fixed EW sites. Fixed EW sites, shown on detailed maps in Appendix C, would fence small noncontiguous amounts of land and therefore would not restrict wildlife access to recreation areas. Under the preferred alternative identified in the Final EIS (Alternative II discussed in Section 2.2.3), no fixed EW sites would be developed in Big Smoky Valley.

Letter 62

We are extremely concerned about Naval Air Station Fallon's proposed Fallon Range Training Complex and increasing military encroachment on Nevada's public lands. These activities would further erode the peace and quiet that are so important to central Nevada residents and recreationalist.

Comments: I Strongly oppose additonal air craft in Smoky Valley it would disturb wildlife in our area also all the ranches in that area. There also is the bighorn sheep which breed in Jett Canyon, it would lower the value of property, cause noise pollution to our Valley. The government controlles enough of our land in Nevada enough is enough. 62-1

Name and Address: Susan Zybell
HC60 Box 37810 Round Mountain, NV 89045

Letter 62
Susan Zybell

Response to Comment 62-1. The commenter's concern regarding military training is noted. Please see the responses to comments 21-1 and 61-1.

BEFORE THE DEPARTMENT OF THE NAVY AND

BUREAU OF LAND MANAGEMENT

-oOo-

DRAFT ENVIRONMENTAL IMPACT STATEMENT

FALLON RANGE TRAINING COMPLEX REQUIREMENTS

PUBLIC HEARING

Wednesday, September 8, 1999

Eureka Opera House
Eureka, Nevada

ORIGINAL

Reported by: ERIC V. NELSON, CCR #57, RPR, CRR

I N D E X

PUBLIC SPEAKERS:	PAGE:
1. Pete Goicoechea	8
2. John Balliette	9

Eureka Transcript

1 EUREKA, NEVADA, WEDNESDAY, SEPTEMBER 8, 1999, 8:10 P.M.
2 -oOo-
3
4 HEARING OFFICER SELINDER: Perhaps in this
5 lull we might take an opportunity to reconvene the formal
6 portion of the public hearing that is taking place this
7 evening. And for the purposes of the record, I would like
8 to introduce Pete Goicoechea, the Chairman of the Board of
9 Eureka County Commissioners, who I just guess came in from
10 a meeting in Carson City. It is very nice to see you
11 here.
12 MR. GOICOECHEA: Apologize for being late.
13 We were testifying till four o'clock in Reno. Again, we
14 apologize.
15 We have submitted written comments, as you
16 are aware. I don't see any reason really to read those
17 into the record except to say they will be part of your
18 record. I think John might have some, if we are back in
19 formal session, maybe some comments.
20 From your guys' perspective, we're a little
21 concerned about the altitude reservation. There are
22 MOA's, but with the altitude reservation. We do have some
23 concerns about those.
24 HEARING OFFICER SELINDER: If you would care
25 to make a formal statement, if you will please come up and

Goicoechea

Eureka Public Hearing Comments

Response to Pete Goicoechea Comments. Written comments referenced by the commenter and responses to those comments, including comments on altitude reservations, are included as Letter 12.

Eureka Transcript

identify yourself, and if you are with an organization, please state that organization, and make your statement.

Then once you're done, since everyone else I guess is not going to make a formal statement, then we'll just recess again and we're going to continue this kind of a process, if people come in so forth, until 9:00 p.m. After the recess again, you will have an opportunity to ask informal questions and engage these folks in some debate. Thank you.

MR. BALLIETTE: My name is John Balliette. I represent Eureka County on environmental type issues.

One of the concerns we have is the old in the foreseeable future for increased MOA's, and at some meetings earlier, we were really pleased to hear them say, well, we don't need that much. But what they said they could do is through FAA permitting, very small areas where they just needed to stage planes before they went in to do their maneuvers. That's all they needed was this FAA permitting the altitude reservations. I can't remember the name of the other designation.

The concern is about three-quarters of the county is under this altitude reservation. We view it as just a military operating area under a different name. We're concerned about that because it does have impacts on personal airlines. Counties do generate air space tax.

Balliette

Response to John Balliette Comments. ALTRVs and ATCAAs are discussed in response to Letter 12. As discussed in response to this letter and described in Section 1.4.2 of the EIS, the Diamond and Duckwater ALTRVs and Smokie ATCAA are FAA-authorized airspace areas that allow the Navy to satisfy long-distance training requirements without formally designating these areas as MOAs that could be scheduled for military use at any time. The Navy requests use of these airspace areas from the FAA, and the FAA releases an area to the Navy only if use of the area would not adversely affect scheduled air traffic, namely commercial air traffic.

The Diamond and Duckwater ALTRVs and Smokie ATCAA are not new airspace areas proposed in this EIS. They were included in Figure 1-3 of the EIS to show interested parties that the Navy no longer has any need for the Diamond, Duckwater, and Smokey MOAs proposed in the Special Nevada Report of 1991. The Diamond and Duckwater ALTRVs and Smokie ATCAA were established August 26, 1996, with the Salt Lake City and Oakland Air Route Traffic Control Centers and have been used by the Navy since this time; any requirements for environmental analysis of use of these areas was completed by the FAA when these temporary use airspace areas were established. Section 1.4.2 of the Final EIS has been expanded to include more information on these airspace areas.

10

1 I think that's the our main concern right now
2 is that we're concerned that -- I don't want to say this
3 to make you guys mad -- you can perceive this as
4 circumvention of the NEPA process by permitting. We think
5 designating the entire -- well, three-quarters of the
6 county as an altitude reservation is a significant major
7 federal action. And if that is a major federal action, it
8 needs to be -- the NEPA process needs to be applied to
9 that as well.

Balliette (cont'd)

10 That is my comment.
11 HEARING OFFICER SELINDER: Thank you.
12 Is there anyone else that would care to make
13 a formal statement? Pete? Going, going, no. Thank you.
14 Very good. Thank you. Then I'll recess the
15 formal portion of the hearing again, and there will be an
16 opportunity for you to engage in dialogue informally, it
17 will not be a matter of record. So we'll take another
18 recess.
19 (Recess taken at 8:14 p.m.)
20
21
22
23
24
25

BEFORE THE DEPARTMENT OF THE NAVY AND

BUREAU OF LAND MANAGEMENT

-oOo-

DRAFT ENVIRONMENTAL IMPACT STATEMENT

FALLON RANGE TRAINING COMPLEX REQUIREMENTS

PUBLIC HEARING

Thursday, September 9, 1999

Austin Town Hall
Austin, Nevada

ORIGINAL

Reported by: ERIC V. NELSON, CCR #57, RPR, CRR

I N D E X

PUBLIC SPEAKERS:	PAGE:
1. Joe Dahl	7
2. Richard Smucker	10
3. Kenneth Thompson	12
4. Bonnie Eberhardt Bobb	13
5. Johnnie Bobb	16
6. Verl Hendricks	18

Austin Transcript

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with the exception if there are any elected officials in the audience, we will allow them an opportunity to speak first. And with that, I note the time now is 7:35, and this hearing is open, and the first speaker is Joe Dahl. Joe.

MR. DAHL: I guess you can hear me all right with this microphone. Thank you for this opportunity to make comments on this process.

As you introduced this meeting tonight, you said that this process started in 1998, and for many of us this process started more like 1992. And it took several years to get to the point of where we are now.

And progressed from this point we went through this whole entire process and the BLM issued a final plan amendment.

FROM THE FLOOR: Why doesn't he turn around so we can hear better.

MR. DAHL: Who am I talking to? I put my back to you, you can still hear me?

For those of you who didn't hear what I started to say, is that we actually started this process in 1992 or about 1992. And it took several years to proceed through that process to get to the point of where this process is now.

We finished this entire process and the BLM

Dahl

Austin Public Hearing Comments

Response to Joe Dahl Comments. At the request of several members of the public, a summary of the events leading up to development of the EIS has been included in Section 1.2 of the EIS.

issued a final plan amendment, a land use final plan amendment -- I'm not sure I'm getting the words right -- it was a BLM decision, and a decision from the BLM is a very important thing. And there was one issued. And it said that the Navy was not going to be allowed to put these electronic warfare sites out here, and it explained why, and it gave a whole list of reasons of why the BLM was not going to allow that.

And for those of you who were involved in that process, you must like punishment if you're here again tonight. Knowing that whatever you do here, whatever we do here, whatever is said here is not going to make any difference. I don't know why I'm here.

I think the main reason I'm here is because we went through this process, we made a determination of how we were going to do this. The BLM issued its decision. The Navy protested that decision. And we act like it never happened.

So we're going to start this process again in 1998, and we're going to have the Navy explain to us what their training requirements are, and we're going to have the IBA report verify their training requirements, and then we're going to go through the NEPA process, and we're going to have an independent outside contractor that we don't have, as far as I know, as far as I can see in any

Dahl (cont'd)

Austin Transcript

of the documents related to this.

So so far, as far as I can tell, we're missing one big element of the process that we're supposed to be doing now. But if this process is to have any integrity at all, and by integrity, I mean any honesty or decency, then we need to include the history that we have already done as part of this process that we're doing now. And we can't ignore that history, and we can't ignore that decision that was made, and we can't ignore the process that reversed that decision and got us started all over again. And if we don't include that history, then this process has absolutely no integrity.

Not to belabor the thing, but if we know the history, because many of us lived it, many of us got somewhat of an education of what the Navy is doing and what the requirements are. As we went through the process, we found that the Navy only educated us for what they wanted us to know. And there were a lot of things that we had to learn by dragging it out of them.

The Environmental Impact Statement that we now have, the draft version of that, is repetitive in that there are going to be no significant impacts, no significant impacts in every area, almost, with the one exception I know. There may be a few other exceptions. I haven't had time to go through all this like I would like

Dahl (cont'd)

Austin Transcript

Response to Richard Smucker Comments. The commenter's concerns are noted. These concerns are outside the scope of this EIS.

to do. It's interesting that someone mentioned the decision makers. BJ said that the decision makers will do something.

It's hard to tell where we are. We're certainly not the decision makers. We voice our opinion and we find the process goes on without us, with or without us. And we see in the IDA report -

HEARING OFFICER SELINDER: 30 seconds.

MR. DAHL: -- that there's going to be some visual impacts that should be addressed in the Environmental Impact Statement, but that is just one example. I think that we really need to keep in mind where we have been on this whole thing up to this point and not ignore that we went through the complete process before, make that a part of this so that it helps us to proceed forward from here.

Thank you very much for your time. I really appreciate the opportunity to be here.

HEARING OFFICER SELINDER: Thank you.

The next person that has signed up is Richard Smucker. Mr. Smucker.

MR. SMUCKER: Thank you for the opportunity to speak tonight. This is not exactly on the same subject, but I believe as far as integrity is concerned, it has quite a bit to do with it.

Dahl (cont'd)

Smucker

1 The Navy has hit my house out there in the
2 last five years every January. This last year they did
3 $6,000 worth of damage to the sheetrock. They have slowly
4 but surely eliminated my drywall contractors, then they
5 eliminated the claim. I have been working through Mark
6 Gibbons' objection office through a fellow by the name of
7 Dan McGregor who is still trying to straighten this thing
8 out with Washington, D.C.
9 First they break up my house, and then they
10 send me a letter that denies any responsibility whatsoever
11 for the damage, and I have proof beyond a reasonable doubt
12 of which they followed no laws, no regulations. You take
13 it through the courts and you go through an appeal, they
14 refuse appeals. They won't take it to a higher court.
15 They turn it back to San Diego out there, which cuts every
16 single estimate right in half, no matter what it is.
17 And right now it's somewhere in Washington,
18 D.C., in some office, I don't know where. But we tried to
19 take it to the Judge Advocate's office. They turned
20 around and sent it back to San Diego, which is denying the
21 appeal, which is the law. They denied that. They don't
22 look at our estimates, which are two of them around
23 $6,000. They ignore those.
24 They go by an engineer that comes out to the
25 house and looks around the house, and he was there before

Smucker (cont'd)

Austin Transcript

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1 the drywall contractors, didn't even put down half the
2 damage. His damage was $4,000, and they want to pay me
3 3500. And this has gone on for the last five years.
4 We get nowhere with these people. And
5 personally, when you damaged someone's property like their
6 automobile or their home, whatever, you turn in the bids.
7 I have followed their directions to the letter, turned in
8 the two bids that they wanted. They ignore both of them.
9 And cut the bids in half.
10 You just can't trust people like this.
11 That's just about all I have got to say. I wouldn't
12 believe anything or trust anything that they say
13 whatsoever. Thank you. I'm sorry I had to say this but I
14 did.
15 HEARING OFFICER SELINDER: Thank you,
16 Mr. Smucker.
17 The next person that has signed up is Kenneth
18 Thompson. Mr. Thompson.
19 MR. THOMPSON: My name is Ken Thompson. I
20 live in Central Smoky Valley.
21 And this may be a little late with this
22 question, but I think this directly affects the people
23 that live in the valley and in Smoky Valley. Why Smoky
24 Valley? Why not Monitor Valley?
25 There is very few residents in Monitor

Smucker (cont'd)

Thompson

SIERRA NEVADA REPORTERS (775) 329-6560

Response to Kenneth Thompson Comments. Monitor Valley is not a feasible alternative for developing EW sites. The accessible area of Monitor Valley is only five to ten miles from the eastern edge of the MOA. When the aircraft are trying to avoid the ground radar threats, they wouldn't be able to move toward the east without spilling out of the MOA. In addition, target hand-off to other valleys would be more difficult because of the Toquima and Toiyabe Mountain Ranges, instead of just the Toiyabe Mountain Range.

13

Valley, less than 10, I'd say, and Smoky Valley is the only north-south growing valley between here and Fallon Naval Air Station. And it's the fastest growing.

We're being impacted, many citizens in the Smoky Valley area, and they can eliminate many of the problems by moving over into Monitor Valley. And I can't understand why that cannot be utilized as an alternate instead of Smoky Valley. Thank you.

Thompson (cont'd)

HEARING OFFICER SELINDER: Thank you.

Next we have Dr. Bonnie Eberhardt Bobb.

MS. BOBB: Hello. My comments deal mostly with the scientific aspects of the methodology that was performed on the EIS. I'm going to be doing those in detail in a written statement because they are pretty inclusive.

However, my observation of the EIS as a scientist is that it sort of appears logical from when you look at the state the way it is laid out. However, when you think about it, it is very illogical because they are arguing from a totally erroneous assumption. The erroneous assumption is that there have been no violations in the past and there have been no complaints in the past, and that isn't true at all.

It's like no significant difference as far as noise. However, I have registered quite a few complaints

B. Bobb (1)

Response to Bonnie Eberhardt Bobb Comments. (1) The commenter's statements are noted. The use of the current existing conditions (as presented in Chapter 3) as a benchmark against which to measure incremental levels of change resulting from a proposed action (Chapter 2) is appropriate under the National Environmental Policy Act. Using existing conditions as a baseline does not ignore the existing levels of noise from current Navy operations. Section 3.13 describes the existing conditions as current noise levels resulting from Navy activities. Analysis described in Chapter 4 of the EIS presents impacts that would result from implementing the Navy's proposed actions. For each resource, either a small or no incremental change over baseline conditions would occur. Chapter 5 of the EIS evaluates cumulative impacts, which are incremental impacts of an action when added to other past, present, and reasonably foreseeable future actions.

B. Bobb (2) The land ownership maps referenced in the report show how lands are currently administered. The Yomba Reservation has been added to the base map. Concerns regarding the Ruby Valley Treaty and Western Shoshone land claims are beyond the scope of this document.

for noise at the time one of the planes flies over or scares the kids because it is so low, or there is a sonic boom, or I wake up in the middle of the night with the phone ringing because their radio signals have set off our phone.

So to say that there is no significant impact is kind of erroneous.

The other erroneous assumption that I see is arguing from a base line that's already been distorted. Whenever they talk about a base line impact, they are assuming you are from a starting point and then changes the occur. But changes have been occurring for many years, and the environment is already impacted.

So you are not getting an accurate measure from the base line that is an inappropriate base line to use, and I have made that argument several times and it's been unaddressed.

B. Bobb (1) (cont'd)

The other thing that's most significant to me is on page 1.6. There is a nice map of land ownership which appears over in two corners, and it's prepared by Techtronic (sic) or whatever the name of the company is.

Apparently they haven't kept up with history. So I agree with the first speaker that history should be part of this, because what you see under the label of the map is land ownership. That land is not owned, because if

B. Bobb (2)

Austin Transcript

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you look at the deed, you will see they are all quitclaim deeds. There is some private ownership, but most of it goes under the Treaty of Ruby Valley of 1863, which is Western Shoshone.

If you look at the Ninth Circuit Court decision for the Ruby Valley Treaty, Judge Bruce Thompson said land title has never been litigated. That was in 1985, and it's been upheld. So I don't know where the idea of any sort of land ownership evolves from.

And if the treaty is still in full force and effect, there cannot be any argument or discussion of right-of-way. There cannot be any discussion of eminent domain.

Again on the map, Johnville is not even listed. I guess I don't exit. If there is no impact, it says in here that there are no significant receptors. Well, the significant receptors are the nerve receptors in my ears, and there are sensitive receptors at that location. We all hear the planes and we make complaints. There is no idea that this is going to change.

There's no process in your EIS for complaint. There is no enforceable remedy whenever there are complaints. There is nothing here that says whenever you make a violation, then what do we do?

Lastly, the most important thing to me is the

B. Bobb (2) (cont'd)

B. Bobb (3)

B. Bobb (4)

B. Bobb (3) The Navy maintains a noise complaint hotline. However, during the public hearing process for the EIS, many concerns centered on existing noise complaint processes and perceived Navy lack of response. Improvements to current complaint procedures are being implemented based upon these public comments. NAS Fallon will continue to use the noise complaint hotline (1-888-426-2407), and the NASF Operations Duty Officer will provide caller information immediately to NSAWC Range Operations. Information required for complaints is the exact time, location, and nature of the occurrence leading to their complaint. Current range instrumentation allows some time-delayed accountability (identification) relative to complaints. Increased range instrumentation and radar coverage proposed under this EIS will increase that capability, allowing the Navy to better tailor education and enforcement action.

B. Bobb (4) The best data available to the preparers has been used in preparation of the EIS.

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1 reference list. Because I'm a scientist, I look at the
2 references. Where did they get this information that
3 there is no significant difference?
4 What I find is that every single reference
5 was either commissioned by a U.S. or a state agency or is
6 done by the state agency that's trying to approve the
7 sites.
8 What I would suggest, whenever you are doing
9 something like that, to be more credible as a scientific
10 study, would be to take the studies that differ from you,
11 show where they are erroneous, and if you can defeat those
12 studies, defeat those studies. But I don't think that
13 they can be defeated.
14 I mean, this is like I said before, this is
15 called confirmation bias. You have set out to find
16 something, sure enough, you found it. Because the people
17 that are paying for this study have paid the people who
18 are giving you the scientific information.
19 Thank you.
20 HEARING OFFICER SELINDER: Thank you.
21 Next we'll here from Johnnie Bobb.
22 MR. BOBB: My name is Johnnie Bobb. Just
23 last week ago I made some complaints about the plane
24 flying low over Reese River and the reservations.
25 Well, last week my mom, she almost got hurt

B. Bobb (4) (cont'd)

J. Bobb

Response to Johnnie Bobb Comments. The commenter's concerns are noted. The Navy is aware of the problems associated with aircraft training activity, particularly low-level training, and is working to reduce these problems. Installing four additional tracking instrumentation subsystem sites as proposed in this EIS will provide tracking coverage to areas of central Nevada that are not adequately covered by the existing tracking network. This increased tracking ability would allow NAS Fallon to better track training aircraft and would provide better pilot accountability. If review of the tracking information finds that a violation has occurred, appropriate action would be taken.

on her horse because of a low flying airplane coming in real fast, and you can't hear the sound until it comes past you, and it scared the horse. She almost fell off.

But this is what we're seeing up and down the valleys, here in Reese River, Smoky Valley, Monitor Valley, on down. So we make our comments, we want to make it strong. We want to hold it there.

J. Bobb (cont'd)

Everything that we say, we got to give them our feelings. That's all. Thank you.

HEARING OFFICER SELINDER: There is no one else that signed up to speak this evening, and I think maybe in the interest of making sure that everyone out there that wants to speak gets a chance to do so, I would like to declare a five minute recess, and if you want to sign up on the sheets, please do so. Otherwise, we'll reconvene and we'll recess the formal portion of the hearing this evening and we'll open it up to more informal question and answer session.

So with that, we'll be in recess for five minutes.

(Recess taken at 7:42 p.m.)

Austin Transcript

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AUSTIN, NEVADA, THURSDAY, SEPTEMBER 9, 1999, 7:49 P.M.

-oOO-

HEARING OFFICER SELINDER: Ladies and gentlemen, should we reconvene?

More than five minutes has passed. No one has formally signed up to make a statement. We do have one gentleman that indicated he would like to make a statement. Sir, if you will come up and give us your name and if you represent some organization, and I would remind you, you have five minutes.

MR. HENDRIX: I'm Verl Hendricks. I don't represent anybody except myself. Maybe the ranch.

But I have a ranch, we have a family that has a ranch in Fallon and we have Smith Creek out here. So I have been connected or used to the Navy ever since long before -- farming long before they ever built the naval base.

And I just have one thing, a question that I'd like to ask. Now, in all the time that we have lived in Fallon, I can only remember a couple times when they really broke the sound barrier. One time it blew two windows out of our house, and they damn near fell over themselves to get out there and fix those windows.

Now, out here, there is very very few weeks

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Hendricks

Response to Verl Hendricks Comments. The commenter's concerns are noted. The Navy is aware of the problems associated with aircraft training activity, particularly low-level training, and is working to reduce these problems. Installing four additional tracking instrumentation subsystem sites as proposed in this EIS will provide tracking coverage to areas of central Nevada that are not adequately covered by the existing tracking network. This increased tracking ability would allow NAS Fallon to better track training aircraft and would provide better pilot accountability. If review of the tracking information finds that a violation has occurred, appropriate action would be taken.

they don't still break the sound barrier. And as long as you have got these young cocky air pilots, they are not going to control themselves unless you put some kind of a penalty on them.

I would like to ask you why it is that you can't do something to control them kids. I mean, there's a lot of danger. We have had people get thrown off of horses, and I think Joe got his hand ripped one time when he was shoeing some horses. Why can't they do something to control that?

That's my question. Thank you.

HEARING OFFICER SELINDER: Thank you, Mr. Hendricks. Perhaps that can be answered in the question and answer session.

Is there anyone else that would like to speak this evening?

All right. Hearing none or no one, I will declare the formal portion of this evening's meeting closed, and I would like to have Meg Jensen get up and introduce some of the staff, and then after that, they will spread out around the room at these various exhibits and if you have questions you would like to ask, then is the time to buttonhole these folks. Thank you.

(Hearing adjourned at 7:53 p.m.)

Hendricks (cont'd)

BEFORE THE DEPARTMENT OF THE NAVY AND

BUREAU OF LAND MANAGEMENT

-oOo-

DRAFT ENVIRONMENTAL IMPACT STATEMENT

FALLON RANGE TRAINING COMPLEX REQUIREMENTS

PUBLIC HEARING

Tuesday, September 21, 1999

Gabbs Recreation Center

Gabbs, Nevada

ORIGINAL

Reported by: Cindy Lee Brown, CCR #486

I N D E X

PUBLIC SPEAKERS:	PAGE:
1. Monty Dennis	6

Gabbs Transcript

by each of these charts. They can answer your questions.

We'll take a half hour. If somebody chooses to speak in that time, they bring me the cards, we will reform the hearing part to make sure we get anybody's comments on the record. So we'll be, you know, we can stop the hearing, the formal part, and do some open-house discussion and restart the formal hearing, if we have more speakers come forward. At this time it's 7:23. I would like to open the hearing, and the first speaker is Monty Dennis.

MR. DENNIS: My name is Monty Dennis.

MR. RYAN: You're welcome to come up here so everybody can hear you.

MR. DENNIS: They should be able to hear. I can holler a little louder.

My comments, I was wondering about the noise around our local town site here. We do have enough problems with Air Force flying in here low.

I know I just happened to be looking at one of these charts over here, and it says that they have a five mile, sort of like a grace period in the area around Austin. I know we've got about a 250-yard fly-over in this town. So something like this does involve the whole community.

You know, according to the way it is here, there is something like 15 mobile sites, and all this, of

Dennis

Gabbs Public Hearing Comments

Response to Monty Dennis Comments. Like Austin, there is a five-mile avoidance area over Gabbs. Section 2.2.1 of the EIS discusses fixed EW site development in Gabbs Valley, and Section 2.2.2 of the EIS discusses mobile EW site development in Gabbs Valley. Figure C-1 in Appendix C of the EIS depicts where these proposed sites would be located.

Gabbs Transcript

Dennis (cont'd)

course, hasn't been explained to me so I don't know what I'm talking about there. But how many is actually going to be in this area or what it consists of? And that's what I was wondering about.

MR. RYAN: I'm sure that will be addressed when we go to the more informal part of this meeting.

MR. DENNIS: Maybe I'd finish my questions later then after you explain the charts. Thank you.

MR. RYAN: If there are no more speakers, then we'll go to an informal recess, we'll call it. People can talk with the experts around the room, ask your questions and if we need to reform, we will.

(Whereupon an informal meeting was held.)

(At 7:55 p.m. the meeting was closed.)

-oOo-

BEFORE THE DEPARTMENT OF THE NAVY

BUREAU OF LAND MANAGEMENT

--oOo--

DRAFT ENVIRONMENTAL IMPACT STATEMENT

FALLON RANGE TRAINING COMPLEX REQUIREMENTS

PUBLIC HEARING

Wednesday, September 22, 1999

Fallon Convention Center

Fallon, Nevada

REPORTED BY: KAREN YATES, CRR
Nevada CCR No. 195

ORIGINAL

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--oOo--

Fallon Transcript

13, 1999.

The address, the e-mail address, and fax numbers are included in the letter on the second page of the Draft EIS document.

The order of speakers tonight -- there is not much order -- would normally be in the order in which you filled out speaker cards. We only have one.

And I guess with that, it is now 7:25 p.m. and I declare the formal portion of this hearing open.

The first and only speaker to have signed up is Wayne Hendrix. Mr. Hendrix?

MR. HENDRIX: Why am I the only one?

HEARING OFFICER SELINDER: I don't know.

MR. HENDRIX: I don't have anything formal. My name is Wayne Hendrix. I'm an individual. I am a partner in Smith Creek Ranch, which is a ranch on the eastern slopes of the Desatoya Mountains. We are right at the edge of the supersonic area. We are, our ranch is within the supersonic boundaries.

I guess my comments this evening in regard to the draft here is, it seems to me like we've gone through this process for quite a few years. And the BLM and we as individuals, the State of Nevada, were all feeling that the Navy was not really, really didn't need this; they didn't warrant it, they really hadn't done their homework,

Hendrix (1)

Fallon Public Hearing Comments

Response to Wayne Hendrix Comments. (1) At the request of several members of the public, a summary of the events leading up to development of the EIS has been included in Section 1.2 of the EIS.

Fallon Transcript

whatever.

All of a sudden, now we've gone through this whole process for years. Now all of a sudden everything is flip-flopped. We don't know why. We as individuals are out here looking. We do not understand where it addresses one single place in here as to why the BLM totally did a flip-flop as to why now they are supporting the Navy instead of having the Navy go through the proper channels to do the Environmental Impact Statements, the whole thing that me, that I would be required to do as an individual. Why has the BLM changed? That's a question I would like answered before we get done here later.

Hendrix (1) (cont'd)

Because of this changing and things that personally we see take place from the ground that is often denied by Navy personnel -- a perfect example: Yesterday, I've got one of my employees that's driving down the road. You have to remember, this valley is 12 to 15 miles wide. There's one small road down through the side of it. Where does the pilot fly as he sees this one line of dust ten miles in front of him? He picks out the only vehicle. Fifty feet above them, scares the living heck out of them.

Things like that are totally uncalled for. Totally unwarranted. We as citizens have a right to have a little bit of peace of mind out there also.

I don't understand why the Navy allows these young

Hendrix (2)

W. Hendrix (2) Because of the lack of features in valleys, pilots often choose roads as a line to follow when they are flying. The Navy is aware of the problems associated with aircraft training activity, particularly low-level training, and is working to reduce these problems. Installing four additional tracking instrumentation subsystem sites (Figure 2-1) as proposed in this EIS will provide tracking coverage to areas of central Nevada that are not adequately covered by the existing tracking network. This increased tracking ability would allow NAS Fallon to better track training aircraft and would provide better pilot accountability. If review of the tracking information finds that a violation has occurred, appropriate action would be taken.

Fallon Transcript

men to act in those ways. It happens on a regular basis. I have a real problem with that. It gets to the point where, as I read through this, I begin to say to myself: If the Navy denies that these guys are buzzing us or chasing our cattle when we're trying to do a round-up, or they see my son on horseback up on the mountains, so they come ripping up a canyon to buzz him, try to get him thrown off -- I don't think it's intentional to throw him off, but they want to have a little fun; they want to see what happens.

It takes my personal faith that I have in my government and in the Navy, I lose faith real quick in believing everything that they say in here, that there isn't going to be an impact. I know personally there is going to be.

It states in here there is no impact with noise, with sight, with all of this. How can they bring a power line in for five or six miles and have no impact? How can they have 40 or 50 vehicles a day or a week even coming in and out of some of the dirt roads and have no impact?

More planes flying; lower, higher, doesn't matter. But the Navy claims no impact. These are the problems that I have in addressing this. There are impacts. There are impacts to individuals that have lived there for years that are not being addressed. It's as if we do not exist because there are so few of us that are out there. And that's where

Hendrix (2) (cont'd)

W. Hendrix (3) Visual impacts are discussed in Section 4.8 of the EIS. Section 4.8.1 describes visual impacts from fixed EW site development, including powerline installation. Installing structures will produce a change in the visual landscape of the area where they are sited, but visual resource analysis determined that this change will not have a significant negative impact to the visual landscape given the visual nature of the valleys. Vehicle traffic would have an effect on roads, particularly unpaved roads, but this impact would not be significant. The following text has been added to Section 2.3, Standard Operating Procedures, to describe road maintenance requirements:

"*Roads.* To the extent authorized by law, the Navy would assist with the maintenance of roads it uses to prevent deterioration from increased use by heavy trucks beyond the normal wear and tear from existing uses."

Hendrix (3)

W. Hendrix (4) The EIS uses a baseline of existing conditions (conditions described in Chapter 3) from which to analyze potential impacts from the new proposed actions. No significant aircraft-related impacts from the actions proposed in this EIS are identified because the Navy's proposal would not result in changes to existing flight patterns or an increase in the number of flight operations. The placement of EW sites would not result in increased low-level flight activity. As described in Section 4.2.1, placement of EW systems may result in aircraft flying at higher elevations within the designated airspace to avoid the ground threats that the EW systems are simulating. The Navy is aware of the problems associated with existing aircraft training activities and is working to reduce these problems.

Hendrix (4)

Fallon Transcript

my problem lies. There are impacts that are going to take place.

A pristine valley that has no lights, period, will now have lights on a regular 24-hour basis. That's an impact. To some of you it may not be much, but those of us that it's dear to our heart, that's an impact. That's why I don't agree with everything that they've said here.

They have done a great job in trying to shmooze us, I guess, however you want to say it. But those of us who live underneath it, we know there's going to be impacts. There's going to be more air traffic, a lot more than what there is now. They are going to be flying areas where they shouldn't.

Yes, the Navy tried. There's a bubble over our ranch house. A couple days ago a pilot came over at 50 to 75, maybe 100 feet right over the ranch house. There's a bubble over it on the maps, but that doesn't exist in reality. That's why we have lost faith in what this document says because we see otherwise.

We see that when they do things that are wrong, that there are no repercussions to the pilots. There are no repercussions for the Navy. I have employees that get hurt. The Navy denies there was a plane in the area. Another day they popped the sound barrier and they are gracious enough to even have the pilot personally call my employee and

Hendrix (4) (cont'd)

Hendrix (5)

Hendrix (6)

W. Hendrix (5) Lights would provide a small degree of contrast while the equipment is operational, which would result in a visual impact. However, as described above, it was determined during visual resource analysis that visual impacts in these areas would not be significant impacts. The following text has been added to Sections 2.2.1 and 2.2.2 of the Final EIS to describe lighting on EW systems:

"Fixed EW site lighting would include regular white lighting (e.g., porch lights to illuminate sidewalks and yard lights when maintenance is being done on equipment) and filtered red and/or blue warning lights that indicate when radars are operational. Lighting would be turned off when the equipment is not in use and when operators leave the sites."

"Mobile EW sites would have filtered red and/or blue warning lights and occasional external lighting or internal lights on the mobile maintenance-type trailers."

Section 2.3, Standard Operating Procedures, and Section 4.8.1 of the EIS indicate that light filters would be installed on operational warning lights to decrease the reach of light transmission.

W. Hendrix (6) As discussed above, no increase in lateral airspace area or flight operations are proposed in this action. The Navy recognizes existing aircraft-related problems and is working to correct them where possible. Increased tracking capabilities is one effort that will increase the Navy's ability to better identify aircraft and improve pilot accountability (Section 4.2.1).

Fallon Transcript

Response to Melissa Smith Comments. (1) The actions evaluated in the EIS would not result in an increase in lateral airspace area or flight operations or significant changes in flight patterns (Section 4.2.1). No actions are proposed near the Lahontan Reservoir.

apologize. Inconsistency. Why one time yes, one time it doesn't exist?

That's why I have a real problem with what is taking place out in this area. My philosophy is what happened to Dixie Valley will happen to the rest of central Nevada if we allow this to continue to go forward. We will not exist out there. It will be another Dixie Valley.

That's my comments. Thank you for the time.

MR. SINGLAUB: Thanks, Wayne.

HEARING OFFICER SELINDER: Thanks, Mr. Hendrix. No one else is signed up to speak at this time.

However, I'm making inquiry as to if anyone else would like to make some comments at this time? If you would, please identify yourself for the record and try to limit your comments to about five minutes, please.

MS. SMITH: My name is Melissa Smith. I'm a resident of Churchill County. I do have some problems as Mr. Hendrix does with overflights. I do not live under an M.O.A. I live by Lahontan Reservoir. They were constantly flying over my house for many years under Commander Jensen. That was alleviated somewhat in the last couple years. It's lessened, but it has not stopped.

There was one evening at 8:30, over my house once again. And the flight pattern for Bravo 16 supposedly has been changed, but they are not using that change, not all

Hendrix (6) (cont'd)

Smith (1)

Fallon Transcript

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the time, and it worries me. It worries me when these folks are going to be doing their other training in the other valleys. What's going to happen out there?

I have been to Kingston. I have been fishing in Kingston. I hope everybody can enjoy Kingston Reservoir sometime. I landed face first in the water because one of those jets came so low and up so fast up that canyon, it spooked me. You don't see them coming, folks. You just hear them. And it's scares you like a balloon popping behind you and you don't know that balloon is there.

Smith (1) (cont'd)

I have been to Spencer's Hot Springs out past Austin. You can sit in the hot tubs out there. Nice, nice water. No pollutants, no lights. And the jets, it's great to watch them; they fly along the paved road south to north. It's great watching them go by. About 200 feet off the deck, no problem.

What is going to happen when they put those electronic light warfare sites out there? Those electronic warfare sites are going to trigger like a missile coming at these planes. These planes will now go into evasive maneuvers. These planes, now you are going to hear their afterburners. These planes now are going to stray off that paved road route that they've used for years. They will be utilizing the whole valley.

What comes along with the evasive maneuvers,

Smith (2)

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Smith (2) As discussed in Section 4.2.1 of the EIS, no significant changes in flight patterns would result from placing EW sites in Big Smoky Valley. The reason for this is that computers currently simulate threats at the places proposed for actual ground placement of new EW sites. In addition, pilots detect simulated threats from a great distance away and evasive measures would not be noticed from the ground.

Fallon Transcript

folks? Chaff, the dispersal of chaff. I have been chaffed. I have been chaffed at Gabbs and it's not fun. You don't really know. All of a sudden you start itching and your hair stands up. Is that what is going to happen to our beautiful remote eastern valleys? I hope not. I understand the Navy has a desperate need to do this. But we are paying a price for it.

I took my husband right after we were married up to Spencer's. That's where we spent our honeymoon. It was wonderful; first time he had been out there. The water was beautiful. We are sitting in the hot tubs, just having fun. It's great. We looked out with our binoculars and there's a herd, small herd of antelope going across the valley approximately where they want to put the EW site. What is going to happen to the antelope?

I read nine studies on chaff. There's no, there's nothing conclusive in those reports. There's nothing that says that chaff will not hurt animals or humans. There's two reports that state that it will kill mussels and clams. That's a report from Lake Michigan. There's also a report that they did on cows. And it is harmful to cows; they proved that.

These folks have the reports. If you want to verify my facts, get the reports.

We have to be serious and look at our future of

Smith (3)

Smith (3) Chaff use would not change as a result of the proposed action or alternatives.

Previous studies on the effects of chaff have been summarized in two environmental impact statements prepared by the Navy for actions proposed at NAS Fallon (US Navy 1998c, 1999a). In response to a General Accounting Office (GAO) report, a Blue Ribbon Panel study was completed on the subject of chaff: Environmental Effects of RF Chaff, A Select Panel Report to the Undersecretary of Defense for Environmental Security, published August 31, 1999 (US Navy 1999h). The study concluded that there are no known negative environmental effects from RF chaff use by DOD and recommended that additional research be conducted on resuspension and fate of RF chaff and that the environmental effects of degradable chaff also be evaluated. The funding and coordination of these studies are currently being pursued.

Fallon Transcript

the state. We have overgrazing. We have beautiful wild horses, too many. But we have all this diversity out there, and this could be in jeopardy. Think about this, folks. And please make your comments.

Please go to Spencer's now. Please enjoy these valleys now before it's too late, before it turns into another Dixie Valley. Thank you.

MR. SINGLAUB: Thank you.

HEARING OFFICER SELINDER: Thank you. Is there anyone else who wishes to speak this evening?

(There was no response.)

HEARING OFFICER SELINDER: There being no one else who wishes to speak, I would declare the formal portion of the hearing closed. However, there will be an informal opportunity for you to ask questions and engage in dialogue with various representatives of both the military and the Bureau of Land Management.

John Singlaub perhaps would like to introduce some of his staff, if there are any out there.

MR. SINGLAUB: Yes, Terri Knutson is in the back. She is the project leader on this; knows certainly everything about the document. And Gary Ryan is the BLM employee stationed out here at NAS Fallon as liaison for us.

HEARING OFFICER SELINDER: All right. There being nothing further, then, we will adjourn to the informal

Smith (3) (cont'd)

Fallon Transcript

Response to John Stotz Comments. The commenter's remarks are noted.

1 question and answer period. Thank you very much for coming
2 this evening.
3 (A recess was taken.)
4 HEARING OFFICER SELINDER: Ladies and gentlemen,
5 if I might have your attention, please? We have one more
6 individual who has decided to make a statement for this
7 evening. We are back on the record and we will allocate
8 about five minutes to John Stotz.
9 MR. STOTZ: Good evening. My name is John Stotz.
10 I'm a resident of Fallon, Nevada. I have been a Nevada
11 resident since 1982.
12 I think it's unfortunate that the factors leading
13 up to this Environmental Impact Statement have ceased to be
14 an environmental issue. This issue has been fanned by
15 special interests and anti-military lobbyists. Clearly if
16 there are impacts from the Environmental Impact Statements,
17 it's on a highly subsidized lifestyle which I think most of
18 us would love to have.
19 Northern Nevada, I'm a little bit ashamed of the
20 minority of you. It's okay to allow big mines to come in
21 and destroy the environment in perpetuity to make a few
22 people rich. Okay to run cattle roughshod over the pristine
23 land, the allocations subsidized by me, the taxpayer, in
24 order to make a few people rich, but too much to ask for a
25 place to train our airmen to make the world a better place.

Stotz

1 The Navy has done everything special interest, and
2 those who benefit from those expensive subsidies asked them
3 to do that, and it's still not enough. There will always be
4 Americans that cannot get enough of what our great country
5 has to offer.
6 It's a shame that that minority of northern
7 Nevadans cannot rise above that greed and recognize that
8 Nevada's gift to the world is the air space to train air
9 crews who are asked to fly in harm's way in support of
10 operations sanctioned by world bodies in pursuit of a
11 better, safer world for those who cannot defend themselves.
12 It's a gift which when no longer necessary in that happy
13 future of world peace, unlike a mine or inefficient cattle
14 ranch, can be returned to its natural state. Thank you.
15 UNIDENTIFIED SPEAKER: Well done!
16 HEARING OFFICER SELINDER: Thank you, Mr. Stotz.
17 Is there anyone else who wishes to make a statement this
18 evening?
19 All right. I guess we will return back to what we
20 were doing and holding little informal conversations
21 throughout the room. Thank you very much.
22 (The hearing concluded at 8:00 p.m.)
23
24
25

Stotz (cont'd)

BEFORE THE DEPARTMENT OF THE NAVY AND

BUREAU OF LAND MANAGEMENT

-oOo-

DRAFT ENVIRONMENTAL IMPACT STATEMENT

FALLON RANGE TRAINING COMPLEX REQUIREMENTS

PUBLIC HEARING

Thursday, September 23, 1999

BLM Nevada State Office
1340 Financial Boulevard
Reno, Nevada

Reported by: Lesley A. Clarkson, CCR #182 ORIGINAL

I_N_D_E_X

PUBLIC SPEAKERS:	PAGE:
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4. John Brook	11
5. Bill Kohlmoos	12

Reno Public Hearing Comments

Response to Ray Alcorn Comments. The commenter's support of the Navy's proposal is noted.

given to the young ladies outside the door, as you came in you saw them, or you may also mail, e-mail or fax your comments to the Bureau of Land Management, Carson City field office, by Wednesday, October 13, 1999, as Captain Rogers alluded to.

The address, e-mail address and fax numbers are included in the letter on the second page of the Draft EIS document for your convenience.

The order of the speakers tonight will be in the order in which they filled out speaker cards as they came in. If there are any federal, state or local elected officials, we will afford them an opportunity to speak first, and I do not note any.

And it is time to move into the formal portion of the hearing. It is now 7:12 p.m., and the hearing is open.

And the first speaker is Ray Alcorn. Mr. Alcorn.

MR. ALCORN: My name is Ray Alcorn, and I have been a Nevada resident for six years. The following statement is provided following my review of the Draft Fallon Range Environmental Impact Statement.

First, I congratulate the BLM and the Navy for producing a high-quality document. This EIS can change an exceptional summary of now the Navy intends to train in northern Nevada and clearly lays out the environmental impacts of the various alternatives.

Alcorn

It also lays to rest some popular misconceptions concerning Navy activity and training. For example, electronic warfare sites are not, quote, airplane magnets or health hazards. The document shows that the Navy's activity in northern Nevada is not an attempt to take over the state, and quite to the contrary. The air space required is less than that envisioned in the special Nevada report, an older document created in an era when the threat was primarily the Soviet Union.

Second, the alternatives developed are clearly a compromise between the Navy, the BLM and the public over long-standing debate about the placement of electronic warfare sites.

While I personally favor four permanent sites with some mobile activity, Alternative I, Alternative II appears to be a reasonable compromise for those who would object to the placement of sites in Big Smoky and Smith Creek Valleys.

My concern with the all mobile portion, Alternative III, is that the technical challenges to the integration of a completely mobile option have not been overcome and could delay the installation of these critical training assets.

Third, in recognition of the people who live under the flight activity in the Fallon complex, Alternatives I and II would provide an economic boost to rural areas. Both

Alcorn (cont'd)

alternatives will provide relatively high-paying employment opportunities. Localities in the near vicinity of NAS Fallon benefit immeasurably from the economic impact of the base. This is an opportunity to spread this positive impact to the populations most adversely affected by the Navy flight activity.

The final decision must consider the concerns of the actual Fallon complex residents, balanced against military training needs, not just the concerns of those who would visit occasionally or speak for special interest groups.

Fourth, this EIS refutes claims that the military and BLM have no credibility in northern Nevada. The compromises contained within the EIS reflect an increased awareness of public concern. Also refuting such claims is that despite increased numbers of training flights in Fallon in the past year, primarily due to the buildup and support of our units in the Balkan and Iraqui theaters, the number of noise complaints and damage claims has been drastically reduced.

Thank you for the opportunity to speak here tonight. I will remind everybody that our ability to conduct a forum such as this is due in large measure to the sacrifices of men and women who train at Fallon and the residents who endure the residuals of that training. As a

Alcorn (cont'd)

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Alcorn (cont'd)

1 Nevadan, I am proud of the role we play in our nation's
2 defense.
3 Thank you.
4 MR. SINGLAUB: Thank you, Ray.
5 MR. SELINDER: Thank you, Mr. Alcorn.
6 Our next speaker is Mike Cox.
7 Mr. Cox.

Cox

8 MR. COX: My name is Mike Cox. I'm a citizen of
9 Reno, and a citizen of Nevada for ten years. Formerly I was
10 a resident of Las Vegas and I had dealt with the Nellis Air
11 Force Base and the range, and I had some concerns regarding
12 the last time they had a withdrawal, and I understand there
13 is no withdrawal here, we are talking about mobile and
14 permanent EW sites, but my concern is that the use of the
15 public land by sportsmen. I'm pretty much representing
16 sportsmen and myself as a sportsman.
17 There's been some activities that have been done to
18 enhance wildlife habitat in and around, near some of these
19 sites, and I'm concerned that the sportsman may not have the
20 opportunity to do maintenance on those wildlife enhancements.
21 And I just am concerned that sportsmen may not have an
22 opportunity to provide that maintenance and those
23 enhancements for wildlife will be lost.
24 And also, along with my experience with the Nellis
25 Air Force range, I'm concerned about the loss and the use of

Response to Mike Cox Comments. None of the actions proposed in the EIS would restrict access on public lands with the exception of fenced fixed EW sites. Fixed EW sites, shown on detailed maps in Appendix C, would not be developed near wildlife habitat enhancements and would not restrict access to maintain these enhancements. In addition, use of fixed or mobile EW sites would not result in limitations on hunting and bird watching opportunities in the area.

Response to Darrell Fike Comments. The commenter's support of the Navy's proposal is noted.

Cox (cont'd)

some of these areas for hunting and for bird watching, and would like consideration for any type of mitigation if there is loss in terms of timing and space, recreational opportunities regarding hunting and bird watching and the like.

Thanks.

MR. SELINDER: Thank you, Mr. Cox.

The next speaker to have signed up is Darrell J. Fike.

Mr. Fike.

Fike

MR. FIKE: My name is Darrell Fike. I have been a Nevada resident, northern Nevada resident for twenty plus years.

It is my understanding that this hearing is specifically to provide the public an opportunity to comment on the adequacy and accuracy of the Draft Range Environmental Impact Statement.

First, I would like to commend the Navy and the BLM for their ability to put aside past differences and work together to produce a document of this quality. BLM is commended for having the foresight and requesting the outside expertise of the Institute for Defense Analysis. The IDA report may not have reached the conclusions desired by the BLM, but the conclusions were accepted.

Second, I would like to commend the Navy for

1 responding to the BLM's request for developing a long-range
2 plan for activity at NAS Fallon. The development of the
3 Fallon range training requirements document, which led to the
4 preparation of this Draft EIS, is definitely a positive step
5 for all of Nevada.
6 Third, I would like to commend the team that
7 prepared the EIS. The document is easy to read, provides an
8 accurate description of the proposed action, provides
9 reasonable alternatives, and accurately assesses the
10 environmental impacts.
11 As a taxpayer, I am concerned about the feasibility
12 of all the mobile -- of the all mobile alternative and the
13 technological and economic impacts to immediate Navy training
14 needs.
15 Fourth, I would like to state that in the worst
16 case scenario disturbs approximately 75 acres of public land.
17 This, in association with the impacts to the users of public
18 lands, is a small price to pay for having a strong national
19 defense, especially considering the unknown nature of today's
20 enemy. We do not know for sure where they come from.
21 Fifth, I strongly suggest that the final decision
22 makers in this process consider the economic impacts of the
23 various proposed alternatives to communities like Austin, as
24 well as the implementation costs of each alternative. In the
25 end the American taxpayer pays the bills.

Fike (cont'd)

Response to John Brook Comments. The commenter's support of Alternative I is noted.

Fike (cont'd)

Let me emphasize. The taxpayer pays the bills, not the Navy or the BLM.

In conclusion, this is the first time the public has been provided with a complete and accurate picture of Navy training requirements at NAS Fallon, as well as an unbiased assessment of the impacts associated with the training. Both the Navy and the BLM have been accountable to the public in preparing this document, and it is my belief that they will continue to do so.

Thank you very much.

MR. SELINDER: Thank you, Mr. Fike.

Our fourth speaker this evening is John Brook.

Mr. Brook.

Brook

MR. BROOK: My name is John Brook. My family and I have been residents in Nevada for the past ten years.

Thanks very much to the Navy and to the BLM for conducting this hearing and allowing me to make my statement here tonight.

Some years ago, during the congress's first or second round of base closures, it was announced that NAS Miramar Top Gun School, they called it Top Gun School then, they don't call it that now, would shift to the NAS Fallon's already highly rated flight training facility. California's loss was Nevada's gain.

Necessarily, NAS Fallon needed to expand to

12

1 accommodate this new role, which, by the way, caused a
2 significant economic boom in the Fallon area. This new role
3 includes training the best fighter pilots in the world to be
4 even better fighter pilots. I for one take a great deal of
5 pride in saying the best fighter pilots in the world receive
6 a significant amount of their training right here in Nevada.
7 This expanded role of NAS Fallon requires a little
8 more room to build electronic sites to help them turn out the
9 numbers of pilots that it has been tasked to do. The
10 executive summary of the Draft EIS indicates that there will
11 be little or no impact on the environment. Captain Rogers,
12 his staff and the BLM have worked diligently and earnestly to
13 come up with a proposal to insure its minimal or no impact on
14 the environment goals are met so that the Navy's requirements
15 for pilot training can be achieved, as well as addressing the
16 BLM's concerns for the federal lands it oversees.
17 Speaking for myself and my family, I can see no
18 reason why the decision makers in this case cannot proceed
19 with Alternative I of the EIS.
20 Thank you.
21 MR. SELINDER: Thank you, Mr. Brook.
22 The fifth speaker to sign up this evening is Bill
23 Kohlmoos.
24 MR. KOHLMOOS: My name is Bill Kohlmoos. I
25 appreciate the opportunity to be able to talk here.

Brook (cont'd)

Kohlmoos (1)

Response to Bill Kohlmoos Comments. (1) The action evaluated in the EIS would not result in increased flight activity over Big Smoky Valley. As discussed in Section 4.2.1 of the EIS, placement of EW sites may result in less low-level flight activity as pilots avoid the threat conditions that these sites simulate.

Kohlmoos (2) No increase in Bird Aircraft Strike Hazards (BASH) would occur as a result of the actions proposed in the EIS. As discussed in Section 4.2.1 of the EIS, flight patterns are not expected to change significantly as a result of EW site development.

I have been a resident of Nevada for fifty years. I have been a bush pilot for fifty years. I own property in Smoky Valley. There are three thousand people in Smoky Valley. There are nine landing strips in Smoky Valley. There are jets flying up Smoky Valley just about every day, and on more than one occasion I have taken off from the ground into the flight path of some jets coming up the valley.

Kohlmoos (1) (cont'd)

I talked to the Navy. They said they can always see me, but I don't believe it. It is dangerous.

There's one thing that the Navy hasn't looked into yet. Russell Defusco, Major Russell Defusco of the United States Air Force put out a report in 1981, and he said, he started this study of midair collisions with birds. The GAO followed up on that, General Accounting Office, in 1989 with a report. The GAO said that in the past four years before their report bird impacts with military aircraft happened sixteen thousand times in four years. Four thousand a year. They have lost three to four airplanes per year, the military. And eight crew members in that time, over four or five hundred million dollars.

Kohlmoos (2)

The most serious threat to aircraft is the turkey vulture. The eagle is sitting on a rock, osprey's looking for fish in the water, the pelicans are sitting on the water. The turkey vulture is flying at 200 feet, 300 feet, soaring.

Kohlmoos (3) The commenter's objections to actions in Big Smoky Valley are noted.

1 He holds his wings out and soars all day long at the same
2 elevation.
3 In Smoky Valley there are more than 200 turkey
4 vultures. Some four years ago several of us who were
5 concerned started the Turkey Vulture Society, a registered
6 corporation with the state of Nevada and the Internal Revenue
7 Service, as a scientific study of the bird, its habits and
8 its census. And we developed a new method for counting them,
9 which had not been used before and which works very good.
10 The previous methods missed 90 percent of the birds.
11 I approached the Navy, because I have seen them fly
12 up Smoky Valley, right through a 100 turkey vultures, pass
13 right through them, and I don't think they realize it. And
14 so far they haven't had a collision. There have been
15 collisions over by Edwards Creek Valley and other places.
16 And it's possible that some of them could have been due to
17 bird impact. I don't know, we haven't been able to find out,
18 but they are a hazard. Two complete reports say they are a
19 hazard. For some reason the turkey vulture is in 99 percent
20 of those collisions.

Kohlmoos (2) (cont'd)

21 Flying up Smoky Valley, now I'm just talking about
22 Smoky Valley. The rest of it is fine. Dixie Valley is
23 already used, and other bombing ranges, that's fine. I'm
24 talking about Smoky Valley, and I'm objecting to any activity
25 in Smoky Valley.

Kohlmoos (3)

Reno Transcript

Kohlmoos (4) The commenter's statements are noted. These issues are beyond the scope of this EIS.

1 Two years ago, two residents of Smoky Valley who
2 live 12 miles apart both dropped unconscious on about the
3 same day, either the same day or morning and afternoon, they
4 dropped unconscious. They were unconscious for a number of
5 days and then they died. The doctors said they didn't know
6 what caused their deaths, but there is minor hemorrhaging
7 throughout their entire brain, not just in one spot but
8 throughout the brain, and they had never seen anything like
9 it before.
10 We don't know what caused it. There is suspicion
11 that it could have been a laser beam or something. We don't
12 know. And I'm not accusing anybody, I'm just saying that I
13 know, I knew both of those people, I know they died, and I
14 know they had hemorrhaging in the brain when they died.
15 And before we go to electronic warfare in Smoky
16 Valley, I as a resident, a property owner of Smoky Valley,
17 together with three thousand other people, would like to see
18 a little less activity rather than more.
19 Thank you.
20 MR. SELINDER: Thank you, Mr. Kohlmoos.
21 That was the last person to have signed a little
22 registration card, which was I think given to each one of you
23 as you came in. Is there anyone else who has not signed a
24 card who wishes to make a statement this evening?
25 I would remind you that you are limited to five

Kohlmoos (4)