

**Comments on
Proposed Modifications to Condor I & II MOAs
and
Creation of a Great State of Maine MOA**

State of Maine

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Summary

The State of Maine's comments on the draft EIS are limited to the proposed modifications to the Condor I and Condor II MOAs and the proposed creation of a Great State of Maine MOA. The pages that follow focus on four areas: (1) public safety, (2) wildlife, endangered species and sensitive areas, (3) tourism and recreation, and (4) economic impacts.

Additionally, the State of Maine questions the EIS' lack of assessment of alternatives outside of the northeast region and of the need for additional airspace at a time when the nation's military is being downsized. This proposal suggests that Maine should give up a third of its airspace for a need which has not been documented.

The State of Maine finds the Draft EIS to contain significant deficiencies in the facts presented and in the level of analysis provided. Factors that pose a critical threat to public safety have been completely ignored. The impact on wildlife,

endangered species, natural/recreational and cultural features are treated superficially. The relationship of the natural resources of the region to the Maine economy is ignored, thus resulting in the finding that the impacts of the proposed air space changes will be negligible.

Because the draft EIS fails to adequately identify and address the problems needing mitigation, the need for mitigation remains unaddressed for the most part. The mitigation measures that have been identified lack any detail as to how they would be carried out and are cursory at best. We do not believe at this time the level of detail is adequate to draw definitive conclusions and therefore fails to meet the intent of the National Environmental Policy Act (NEPA).

More specifically, we note that in numerous cases, the Draft EIS presents no data on factors that are central to the assessment of impact. For example, no data on levels of turbulence and vibration are provided nor are their impacts assessed even though central to public safety. In other cases, the wrong measures were applied, thus leading to conclusions that are not supported. It is obvious that the economy of the affected regions and especially economic activity related to recreation and tourism will be impacted most by noise, not by frequency of aircraft sighting. Yet noise is given serious consideration as a criteria only in the discussion of its effect on the reproductive success of endangered bird species. Finally, data essential to make an adequate analysis, even when known, are not used in the analysis. For example, the assessment of noise impacts is based on urban noise models rather than on actual noise levels experienced in rural and wilderness areas. When the clear proposal is to lower the base altitude to 100' in the Great State of Maine and to 300' in the Condor MOAs, why is the data on noise presented for planes flying at 1000 and at 500' rather than at 100' and 300' where the real impact will be? Overall, the Draft EIS has systematically ignored vital information and is fundamentally flawed. In the light of these inadequacies, the draft EIS consistently and erroneously finds "negligible" impact.

The State of Maine categorically opposes the proposed expansion of military air space in the State of Maine. We are certain that the proposed action would produce unacceptable adverse impacts on the quality of life of Maine citizens, on our economic, natural and cultural resources and on public safety and believe that an accurate analysis of the facts will validate Maine's concerns.

A. Public Safety:

The State of Maine is concerned with both airspace safety and the safety of those on the ground. The Draft EIS offers an inadequate assessment of air space safety and ignores ground safety entirely.

1. **Airspace Safety:** Sufficient evidence has not been provided in the Draft EIS to classify increased safety risks as "negligible". The State of Maine believes that the potential for collisions between civilian and military air traffic has been grossly underestimated. Of greatest concern are:

A. The lack of any analysis of the full cumulative impact of the multiple uses now present in the airspace have not been assessed and are not considered in the findings. This analysis must consider:

* The present level of use of the MOAs by active duty units and the existence of multiple MTRs that traverse the MOAs. Further, the original proposal identifies several new "users" of the airspace, including some Canadian units. This increase in traffic by other units must also be included.

* In addition to existing and projected military activity there are several scheduled commercial routes that traverse the airspace.

* The extent to which Maine's tourism and recreation industries relies on private air travel. Users of the airspace include a higher than normal proportion of private planes due to the remoteness of the region and the lack of road access to many recreational areas. There are numerous bush pilots operating in these regions whose business depends on flying low and slow, using lakes and small dirt strips for landing.

* The extent to which the State of Maine relies on small planes and helicopters to carry out management and surveillance activities such as forest fire protection and fire fighting, drug enforcement, crop,

wildlife and timber inventories, etc. Public safety officials, the Maine Forest Service and the Dept. of Inland Fisheries and Wildlife accumulate several thousand hours of flight time in the two regions each year. The Forest Service alone has 6 helicopters and three planes and contracts 10 additional planes for forest fire patrol from April to November annually. The Dept. of Inland Fish & Wildlife has 3 planes and contracts with private pilots for biological survey work.

* Not only is there lack of coordination between the services, but there is no apparent coordination of this effort with even the five-year defense plan.

B. There is no discussion of how separation will be accomplished in a free play zone given the absence of radar and positive communication. The draft EIS identified this as an issue of potential conflict with the general aviation community but did not follow with any discussion of measures to mitigate impacts. The lack of documentation of support coordination with active duty units suggests to us that no assessment has been made.

Too much dependence is placed on see and avoid. When flight crew workloads coupled with the speed of the aircraft and close proximity to the ground are considered, it is questionable that trainees will have enough time to see and avoid a State or private plane or helicopter. To suggest that see and avoid responsibility should be that of the state and private pilots is even more unacceptable. It is unreasonable to expect state and private contract pilots conducting searches and fire watches to divert attention to watch the skies for possible approaches from low altitude high speed training flights. In all cases there is a diversion of attention on the part of both military and civilian pilots which is inconsistent with the theory of see and avoid in an intense environment.

In short, the State of Maine questions the wisdom of conducting low level air to air training in uncontrolled airspace.

2. **Ground Safety:** The Draft EIS makes no assessment of safety to those on the ground ~~is made~~ and data with which to make such an assessment has been overlooked entirely. Rather, the discussion of safety on the ground is limited to the impacts of a possible plane crash. The only issue raised regarding a crash is that of the difficulty of reaching a crash site given the remoteness of the area and ruggedness of terrain.

The State of Maine believes the concern to be much larger than the draft EIS suggests. Safety of persons on the ground needs to be addressed in terms of (1) the effects of high noise levels on health, (2) the hazards created by vibration and turbulence in the atmosphere, and (3) the danger from hazardous substances and fuel spills from crashes and during refueling exercises conducted at low altitudes.

A. Noise:

1. The assessment approach neglects to consider the qualities of noise that most impact health and the real degree of noise as it will be experienced. The EIS notes that the noise from a plane flying at 500' is 102 dB, i.e., more than 8 times as loud to the human ear as 70 dB, a level considered moderately loud but safe by the EPA and 64 times as loud as normal outdoor sounds in open wilderness. No data is given on the noise level at 300' or at 100', nor is the duration of time that the noise level from such a low altitude flight would remain in excess of natural environment levels or of safe levels as defined by the EPA.

Further, most of the data on noise appears to be presented in terms of "average noise levels during a 24-hour period. Averages do not adequately reflect the impact of sudden and very loud noise on human health or on wildlife.

In the absence of documentation of civilian flight activity and coordination with active duty units the data is insufficient to make a proper determination of day/night noise levels that result from the cumulative impact of all users of the air space. We must, therefore, conclude that if under the maximum loading scenario, without

complete data, noise levels in excess of 61 and 62 Ldn are achieved, then additional demand placed on the special use airspace by the increased services could easily cause the 65 Ldn threshold to be exceeded.

2. Noise is not addressed in the Draft EIS as an issue of public health or safety. What is the impact of such loud noises on persons with hearing devices, pace makers, and other mechanical aids? The Draft EIS does acknowledge primarily emotional effects (distracting and annoying, sudden loud noises can interrupt thoughts, etc.) rather than physical effects, but does not address long term effects or the effect of repeated and unpredictable loud and disruptive occurrences.

The sudden noise created by a plane approaching at high speed only a few feet overhead has been known to startle people and animals, resulting in temporary chaos and potentially life threatening circumstances. There are documented cases of people who have driven off the road, been thrown from horses and overtipped canoes when startled by overflights.

B. Turbulence and Vibration:

The DOD and Consultants involved in the preparation of the Draft EIS have heard from citizens present at scoping meetings accounts of incidents where lives were endangered by turbulence and vibration from low flying aircraft. Most such incidents occurred to persons boating on Maine lakes when watercraft were upset or nearly capsized by turbulence. These incidents already happen with alarming frequency and the potential for harm to persons on the ground can only be expected to increase.

Expansion into the Great State of Maine MOA and the lowered flight floor in the Condor MOAs will pose a far more widespread risk. Of particular concern is the safety of loggers working in the Maine woods. The turbulence and vibration caused by low flying aircraft presents danger to a logger about to fell a tree at the time of overflight. Logging is a major economic activity in the region under

consideration for the Great State of Maine MOA and in the northern portion of the Condor MOAs. There are an estimated 5000 to 6000 loggers working in these regions whose lives will be at risk.

The Draft EIS provides no data on turbulence and vibration. Facts that have clear impact on the safety of individuals in the region must not be ignored. The potential jeopardy to human life from the vibration and turbulence caused by low level flights warrants major consideration.

C. Hazardous Substances and Fuel Spills:

The potential for fuel spills and other environmental contaminants have not been addressed. The Great State of Maine is a pristine wilderness environment. The Condor MOAs contain many populated settlements. Both are major tourist destinations with seasonal populations that exceed the year round base by several-fold. Both areas are largely remote and have rugged terrain, making rescue and clean-up efforts difficult. Both contain abundant lakes, rivers and drinking water supplies that will be at risk of contamination.

During refueling operations fuel spills are common. Small spills at high altitudes may dissipate as suggested by the DEIS, and while they add to air pollution, may not pose a significant threat to the environment or to persons on the ground. The Draft EIS makes no mention of the danger or impact of spills at low altitudes.

The volatile nature of hydrazine may cause spills from a crash to be consumed by fire upon impact. Thus the risk of fires, especially deep in the Maine woods during the dry season needs to be addressed as well as the risk to life from a fiery crash. A recent crash in which a plane clipped a ridge in Utah during a low altitude training exercise (Hill AFB) sprayed flames and wreckage debris over a mile long area.

What will be the impact of a spill that occurs over a body of water? Hydrazine is reactive with water and an accident over water will pose a danger to our lakes and water supplies. Hydrazine is classified as a known carcinogen by OSHA and is highly toxic by ingestion.

inhalation and skin absorption.

What additional dangers exist to persons in the area from EMFs, radiation, lasers, etc.?

D. Mitigation:

Finally, the EIS does not discuss actions to prevent spills from occurring or what will be required to mitigate damages in the event of a spill though it notes that the remoteness of the region will hamper rescue efforts in the event of a crash.

Further, it states that local emergency response personnel would be responsible for responding to any incident. In most rural communities in Maine these services are provided by volunteer units with marginal support from municipalities and no significant support from the State. **This burden should not be theirs.** Is the military prepared to train hundreds of local volunteer fire and rescue crews throughout rural Maine and provide them with the equipment and materials necessary to respond appropriately?

B. Endangered Species and Critical Wildlife Habitat:

The draft EIS does not address the presence of critical wildlife habitat throughout the region.

1. **Nesting Sites of Endangered Birds:** The Draft EIS does not propose measures to provide adequate protection for known nesting sites and does not address protection at all for nests not yet located, nor does it offer procedures for their future consideration.

A. Inadequate identification of nesting sites:

Bald eagles and peregrine falcons, listed by both the State and Federal government as endangered species, nest throughout the region affected

by the proposed action. Golden eagles are state-listed endangered species. Recovery programs are underway in Maine for all these species. Eleven golden eagle/peregrine falcon nests and 22 bald eagle nests are known within the affected areas. These nesting areas are critical to the long-term recovery of these species in northern and western Maine. Therefore the effects of low level flight on these birds' behavior and reproductive success are of great concern.

The Draft EIS acknowledges the presence of nests within the area in question but does not offer information to indicate awareness of locations or assurances that nests can/will be completely avoided. Both the Maine Dept. of Inland Fish and Wildlife and the US Dept. of the Interior have mapped all known nest locations (attached). This data indicates a population of endangered birds that is widespread throughout the area of the MOAs, making it difficult to alter flight paths to avoid all nests.

B. Greater effort needed to fully assess the impact of flights on nesting areas:

The nesting period extends from March to the end of August when golden eagle chicks fledge. Repeated overflights of the territory during the nesting season may result in flushing birds during incubation, startling pre-fledgling birds from the nest, or causing abandonment of the territory.

The amount of research on the impacts of low altitude flights on nesting birds is minimal. A recent, but unpublished, study from Michigan demonstrated that aircraft activity over bald eagle territories did consistently elicit alert response from the birds. The effects of low level military flights on eagle or peregrine falcon reproductive success have not been studied and need further investigation before actions of such magnitude as is proposed by the Air National Guard are implemented.

Because of the lack of research in this area, The State of Maine requests that more study of the effects of flight on bird behavior and reproductive success should be conducted before flight traffic in the

region is increased.

2. Deer yards, game preserves, waterfowl stop-over and nesting areas, and other critical wildlife habitats:

The prevalence of white-tail deer wintering areas in the MOAs must be considered. There are nearly 200 significant wintering areas that have been identified within the two MOAs. Efforts are underway in Maine to increase deer populations through habitat protection.

Maine is engaged in a program to identify critical wildlife habitat and to assist communities engaged in growth management planning to protect important wildlife habitat. In the Unorganized Territory of Maine, major deer wintering areas are zoned for protection and in other areas of lesser significance, a certain portion of the land in each township is reserved from clearcutting or other practices that will destroy wildlife habitat.

In 1986 the Maine Legislature passed the Endangered Plant Act establishing guidelines for the classification of endangered plants and requiring the compilation of an official list of endangered plant species in the State. The official list of endangered plants in Maine lists nearly 250 species.

In 1974 the Maine legislature created the State Register of Critical Areas. Since then over 650 Critical Areas containing outstanding natural features of state significance have been registered throughout the State. Currently several dozen additional sites have been nominated and many of these have been determined to be qualified and await final action. Critical areas are locations which may include rare or exceptional plant or animal habitat and unique geological sites of historical or scientific interest such as significant fossil deposits or having outstanding scenic value such as gorges and waterfalls.

3. Inventory of both plant and wildlife species prevalent in the two MOA regions is inaccurate. Maine's tree species are primarily spruce-fir, the basis of the paper industry in Maine, not beech and other minor

species mentioned. Maine no longer has elk, wolverines, etc. Moose, deer, bear, and many smaller furbearing animals are the predominant species.

C. Recreational & Cultural Impacts/Sensitive Land Areas:

Most disturbing is the failure of the draft EIS to recognize the vital link between Maine's natural environment and its economy.

The assessment of impacts on recreational, cultural and natural/scenic areas is flawed because it does not select criteria that measure real impacts on the rural Maine economy and because it fails to include hundreds of thousands of acres of land considered to be sensitive by the State of Maine. These are the gems that attract visitors to the region and underlie the entire tourism industry in these parts of Maine.

Our natural environment defines who we are in Maine. The State of Maine has a track record now spanning several decades of putting in place management practices and land use protections that will improve wildlife habitat, increase populations of endangered species, guarantee clean air and pure water and preserve a natural environment for outdoor recreation and enjoyment for all Maine citizens and guests.

Thus not only is there great concern for the lack of consideration given to the role of natural and recreational resources, but the adequacy of protection suggested is also of great concern. The methodology and justification for the modifications that are proposed for the few sensitive land areas that have been recognized is not documented and is questioned.

- 1. Relationship to the Economic Health of Rural Maine:** Maine's state parks, public lands and recreational areas provide visitors and Maine citizens with opportunities to swim, hike, sightsee, picnic, and camp in natural areas.

What the draft EIS FAILS TO CONSIDER is the vital linkage between the aesthetic qualities of Maine's natural resources (scenic and historic sites, recreational areas, etc.) and its economy. The reality, especially in these regions of Maine, is that such resources are the basis upon which the economy is built. Overflights, regardless of their frequency, will detract and devalue the quality of these experience and compromise the values offered by our parks and public lands.

A. NOISE Impacts:

The criteria used to assess impact is incorrect. In addition to safety issues, noise, not frequency of sitings is of greatest concern. The way noise is assessed is equally irrelevant.

The draft EIS inappropriately emphasizes the frequency or likelihood of siting aircraft rather than the noise factor as the significant criteria. It is NOISE, not frequency of sitings, that holds the greatest impact. It is the sudden shattering roar of a plane going at very high speed at low altitude that destroys the tranquility of a wilderness experience, not the casual observance of a plane floating along the horizon.

The EIS acknowledges that "noise is one of the more important concerns associated with low-level flights of military aircraft" (page 4-3) but fails to adequately address people's responses to aircraft noise in parks or other natural settings.

The EIS addresses the "annoyance" factor only briefly in its discussion of human response to noise. The data from these models measures a human response that is fundamentally different and cannot be applied to the "annoyance response" of aircraft overflights in park settings because of the different tolerances and expectations that people bring to parks.

The National Park Service, in their preliminary work to measure the effects of aircraft overflights on parks and wilderness areas, has found that the use of averaged noise levels is irrelevant to measuring impacts of noise in park and wilderness settings. Averages do not adequately reflect the noise impact from individual overflight events, which the

EIS itself says on page 4-45 would be "substantially higher" than the average levels. These events are generally sudden and disruptive and can be even more so when they occur in natural settings where people least expect them.

To accurately assess the impact of noise, noise should be assessed in terms of the degree to which it is in excess of 30 - 40 decibels, the normal level of sound in a rural wilderness setting, not in terms of relative urban noise averages.

Neither the EIS nor the studies cited mention the likelihood that people may change where they choose to vacation and recreate if the "annoyance response" is high enough. This is of particular importance to the regions covered by the Condor and proposed Great State of Maine MOAs. These regions contain most of the inland tourist destinations to which people voluntarily come because they expect a certain type and quality of environment and experience. If these special qualities are lost, the remoteness of the region will become a detriment rather than an asset to attracting visitors.

Although the EIS acknowledges adverse impacts are likely, saying "it is difficult to assess whether or not this (i.e., the overflights) will affect...recreational experience or quality of life. (page 4-41) and that "the greatest potential for adverse impact would be the disruption of tourism in scenic areas" (page 4-44), the EIS does not address this potential. Despite the difficulty of quantifying recreational experience, this assessment must be made. Tourism, the quality of the recreational resources, and the quality of the recreational experience are simply too significant in these areas of Maine to be subjected to adverse affects by aircraft noise or any other aspect of overflights.

B. Methodology for determining impacts on Sensitive Land Use areas:

The EIS criteria focuses on "identifying whether these areas will be reduced in size or will lose their designation due to the proposed action". This is not appropriate as a criterion for determining impact. Parks and wilderness areas would likely lose their designation only under extraordinary circumstances. Regarding state parks, there is no

policy, procedure, or criterion for removing the state park designation from a particular piece of land.

2. **The inventory of lands considered by the State of Maine to be sensitive areas is far from complete.**

A. Public and Protected Lands:

1. **Public Lands:** The Maine Bureau of Public Lands manages approximately 500,000 acres of public lands in Maine for multiple uses (recreation, wildlife, and timber production). About three quarters of this land is located within the two MOAs (map attached).

2. **State Parks:** The Maine Bureau of Parks and Recreation manages State Parks located throughout the region. These lands consist of developed parks and undeveloped parkland which provide primarily wilderness recreation.

3. **LFMB Acquisitions:** Over the past four years the Land For Maine's Future Fund purchased 47,642 acres of land for public use. Over 30,000 acres of these newest purchases are in the affected regions.

4. **Private Protected Lands:** In addition, there are thousands of acres of protected lands held by private organizations, including the Nature Conservancy, Maine Coast Heritage Trust, and several dozen local and/or regional land trusts. The Nature Conservancy has protected over 90,000 acres of sensitive lands. While earlier private efforts focused on protecting the Maine coastline and coastal islands, current efforts are steadily increasing the acres of inland sites under protection. The number of local land trusts has increased substantially over the last 5 years. At last count there were over 100 local land trusts in Maine, most actively engaged in the acquisition of lands or the easements/development rights to lands treasured by local citizens.

B. Archaeological and historic sites:

The draft EIS does not identify archeological and historic sites (except for those listed in the National Register of Historic Places) though many are located within these regions. There are numerous sites and structures of historical significance to the Maine Historic Preservation Commission many of which may be future National Register candidates. In addition there are many community based historical societies and local preservation efforts underway that warrant consideration.

Complete surveys have not been conducted by the Maine Historic Preservation Commission in the Great State of Maine region. Portions of the Condor area have been surveyed. Thus it is impossible to know the location of all sites of significance and impossible to avoid them.

C. Other Recreation Corridors:

The State of Maine recognizes and provides special protection to Significant Rivers and Gem Lakes under two separate programs. These resources serve as water corridors for a outdoor recreation as well as for natural resource management. In addition, the Appalachian Trail, nationally designated, traverses across both the Condor and the Great State MOA, reaching its northern terminus at Mount Katahdin, the last truly wilderness mountain in the eastern U.S.

1. Significant River Stretches: The State of Maine conducted a Maine Rivers Assessment in the 1980's in which all Maine rivers and river segments were classified according to a set list of criteria. The Maine Rivers Act was passed by the Maine Legislature in 198---, providing higher levels of protection to Significant River Stretches. Additions have been made to the significant rivers list in subsequent years.

These river stretches include the state's deepest gorges, best whitewater, salmon habitat, and otherwise ecologically valued segments of Maine's rivers. They are vital to the state's outdoor

recreation and tourism industry as well as to fish and wildlife populations.

2. Gem Lakes: An assessment of Maine lakes in the unorganized territory of Maine was conducted following a process similar to that of the Maine Rivers Assessment. Lakes in the unorganized territory are under the jurisdiction of the State Land Use Regulation Commission (LURC). Amendments to statutes governing LURC were enacted to expand land use protections to certain classes of Lakes. These protections are implemented through an amendment to the Comprehensive Land Use Plan governing LURC territories adopted in June, 1990. The plan identifies six lake management classes. Lakes assigned to Management Class I, II, and VI are regarded as the most sensitive and afforded the highest levels of protection because of their remoteness, undeveloped state and pristine qualities and their high value to fish and wildlife.

A similar assessment is underway for lakes located within the organized townships of the state. Shoreland zoning in the organized territory is a function of municipal planning boards with state oversight and special protection for Great Ponds (i.e., in excess of 10 acres in size).

None of this land has been included in the inventory of sensitive land areas listed in Vol V. nor considered in the analysis of environmental impacts. These areas are an important part of the state's natural resource base and of its economy. The impact of aircraft noise and sightings in areas frequented by the public will degrade the aesthetic aspects of the recreational experience that draws people to these lands and will jeopardize loggers engaged in forest management activities on them.

3. Adequacy of protection of sensitive land areas:

A. Determination of Acceptable Noise Levels:

The EIS asserts that sensitive land areas such as those listed for Maine in Appendix F are not significantly affected by the proposed airspace modifications unless they experience noise levels greater than Ldmnr65 (page 4-41). The arbitrary designation of Ldmnr65 as the cut-off point needs to be examined carefully. In general, an Ldn value of 65 decibels, which we believe to be similar to Ldmnr65, is the noise level at which residential land use compatibility becomes questionable for structures with average or below average acoustic insulation. It is also the level above which the military must monetarily compensate residential dwellers. To assert that this is also the level by which to measure the significance of noise impacts on sensitive land use areas is wholly inappropriate and, like most of the noise analysis in the EIS, has no bearing on park, recreational, or wilderness environments. If natural sounds and quiet are the critical values of park and wilderness areas, there is little doubt that military overflights will have adverse effects on such areas.

B. Determinations of altitude adjustments:

Suggested modifications provided in the Draft EIS propose adjusting the minimum altitude to 2000' AGL over several valued recreational areas. No data is provided to demonstrate that the proposed 2000' AGL is sufficient to reduce noise to acceptable levels for the kind of outdoor experience these areas provide. This proposal should be backed up with adequate data to demonstrate the validity of the 2000' AGL adjustment, or, if it has been made in the absence of data, a study should be done to determine the appropriate altitude.

C. Baxter State Park:

There are special concerns with military operations in the area of Baxter State Park. The park has rigorous policies in place to prohibit or severely limit the use of boat motors, ATVs, large vehicles, radios, snowmobiles, etc. The park was donated to the State by former Governor Percival P. Baxter on condition that it remain "forever wild", and protection of the park's qualities of wilderness and solitude are necessary to uphold his Deeds of Gift. Any past exposure to low

altitude flights, missile testing, etc. has elicited a swift and vigorously negative response from park users. The presence of routine low altitude flights in this sterling recreational area will forever shatter the experience of thousands of families seeking to enjoy the mountains and ponds in peace and silence. Maine believes that low altitude training in the proposed Great State of Maine MOA is inconsistent with the uses for which Baxter State Park and the state's other wilderness areas are managed.

D. Determination of Routes and Use:

The impact of an MOA stands in sharp contrast to specific military training routes over, for example, the Allagash Wilderness Waterway. In the past, the Maine Bureau of Parks and Recreation has successfully negotiated for the shift of training routes or to establish a route that is perpendicular to, rather than parallel with, the waterway in order to have less impact. With an MOA, however, there will be no set route established. Rather, the pilots will go where they will. Even at 2000 feet, there will be substantial noise and aesthetic impact, especially along the portions of the Allagash Waterway, where visitors are not even allowed to have motors on their canoes.

4. Expansion of land area covered by proposed modifications:

The Draft EIS recognizes the adverse impacts on recreational areas, but recommends modification of plans only around a handful of areas with high tourist attendance (Mount Blue, Baxter State Park). It does not include the managed units of the Bureau of Public Lands. These lands are used for the same recreational purposes as other state and national forests listed as sensitive lands in the study and should be given the same status.

If the proposed airspace expansions are implemented in the future, and the 2000' modification or some other level is determined adequate the minimum altitude for flights over Maine's public lands should be modified to 2000' or to the adjusted level.

D. Economic Impacts:

The EIS fails to recognize the impact of the proposed air space changes on the economy of the affected regions. The EIS contains a number of factual errors as well as erroneous assumptions. The absence of linkage between recreational and aesthetic qualities of the environment and the local economy, as presented above, and the failure to consider noise, vibration and turbulence as criteria of economic impact are glaring deficiencies.

The treatment of the socioeconomic impacts of the overflights by the EIS is grossly inadequate. The whole subject is covered in two sentences: "Local economic activities beneath the affected airspace would not be significantly affected by the proposed action. The greatest potential for adverse impact would be the disruption of tourism in scenic areas." No further exploration or quantification of these impacts is mentioned nor any regard given to them.

1. Local Economic Structure & Base:

The economy of the two regions is centered around forestry, tourism, and manufacturing (primarily forest products, and in the Condor area, leather and forest products).

A. Forest-related Economy:

The vitality of the forest products industry relies on the management and harvest of timber just as the tourism industry relies on the natural environment to attract tourists. No consideration has been given to the impacts of this proposal on the forest industry or the problems and hazards it will create for them. A third of the labor force in these two regions depends on the forest for their employment (timber harvesting, trucking, paper making, or in sawmills and woodworking mills). There are an estimated 4000 loggers working in wage/salary positions and an additional 1000 to 2000 self employed loggers in the region.

The safety of those who harvest Maine's forests must be considered.

B. Tourism:

Tourists and seasonal visitors with vacation homes in the region account for a major portion of the local economy and of the local tax base. The quality and condition of the environment is the single most important factor to Maine's tourism industry. These two regions contain all of the state's most valued inland tourist destinations, and include a mix of developed recreational destinations and wilderness experiences. The Condor MOA contains several major developed recreational ventures. It also contains all of Maine's major winter ski destinations.

A study of the economic impact of Tourism in the Maine economy conducted by the Center for Survey and Marketing Research at the University of Wisconsin in 1987 conservatively (i.e., did not include people with their own vacation cottages and included an estimated half of the day trippers) estimated the impact of tourism in 1986 in the Condor and Great State of Maine regions to be \$140 million, accounting for 7250 jobs (15.5% of the employment in the regions in 1986) and a payroll of \$67 million.

Rural regions of Maine depend on the tourism dollar as a major component of the local economy. In northern Maine the backbone of the tourism industry is Baxter State Park and the many wilderness resources of the surrounding countryside. Despite depressed financial conditions, participation in wilderness/primitive recreation has remained high. The demand for such experiences outstrips the supply in the Northeast U.S. The experiences afforded by the northern Maine wilderness region cannot be duplicated elsewhere and will be forever destroyed by the proposed flight scenario with no positive benefits to replace that loss.

SILENCE is the premium quality that makes this region special. Many of these areas are protected today by restrictions on the use of snowmobiles, ATVs, motorboats, and even radios. Surely the effect of low altitude flights in an area such as this will be dramatic. This region is the last great wilderness area in Northeastern US. to which people voluntarily come because they expect a certain type and quality of environment and experience. If these special qualities are lost, the remoteness of the region will become a detriment rather than an asset

to attracting visitors.

While noise is the critical factor to maintaining the attractiveness of the region as a tourist destination, safety issues associated with noise are also of vital economic concern. The liability of campground owners, guides, operators saddle expeditions and whitewater rafting and other tour operators for accidents that occur to a tourist in their trust due to startle response to unexpected noise is of great concern.

Many of these operations are marginal small and family enterprises and the added liability burden will substantially reduce their incomes.

C. Other Sectors:

The startle effect of low altitude flights affects livestock as well as persons. Cattle are known to stampede when startled causing safety to be a concern for those who work with large animals. Milk production in dairy cows is affected by noise. Studies show that soft noises, and even steady music have a soothing effect while loud, sudden or erratic noise causes immediate reductions in milk production. Poultry will flock and huddle when startled and will suffocate those caught on the bottom of the huddle if they cannot be calmed and dispersed in time. Broiler and free-range egg operations risk substantial losses. In short, the modifications of flight floor over Maine will result in lost income, lost business and increased liability to nearly all facets of the economy.

2. Methodology:

The economic impact analysis offered in the draft EIS is fatally flawed. The analysis relies on county level data dating back to 1988 even though more recent and more localized data is readily available. County level data does not correspond to the Region of Influence (ROI). Most Maine counties cover large geographic area. The counties that include the Condor MOAs also include the State's two largest and most diversified urban centers where tourism is negligible.

Further, the EIS relies on employment in restaurant and lodging

sectors as its measure of tourism. This may reflect a partial picture in the areas that have developed recreational destinations. Restaurant and lodging sales account for 30% to 40% of all retail sales in several ESAs (the geographic unit of analysis the State of Maine uses in small areas where town level analysis is prohibited due to confidentiality issues surrounding small numbers).

Restaurant and lodging sales are irrelevant to assessing tourism in wilderness settings where restaurants and motels don't exist in any significant numbers and to which people come because they don't exist there. Rather the impact of tourism is reflected in the sales of general country stores, gift shops, cottage industries, suppliers and outfitters, and by the services provided by registered Maine guides, bush pilots, hunting and sporting camps, and by those who offer whitewater rafting, saddle expeditions and other recreational experiences, and the many secondary effects of tourism that ripple throughout the economy.

The impact on the local tax base also merits consideration. Non-resident property taxes account for an extremely high share of municipal revenues.

3. Future Impacts:

There has been no consideration to local economic conditions and trends, and thus no vision of the future impact of this proposal on the region's economy. Over the past couple decades these regions have faced long term gradual decline in forest products and leather products manufacturing reflective of the national declines in manufacturing employment. For small towns in inland Maine small manufacturing firms have been the traditional backbone of industry. The area of influence for the Great State of Maine MOA is facing the imminent closure of Loring AFB in 1994. The closure will be accompanied by a loss of 8000 jobs and \$152 million in annual income. It is inconceivable that at a time when the military is considering closing installations within the state, eliminating thousands of military and civilian jobs on bases and in small firms that serve the bases that they would propose airspace modifications that will crush the region's tourism industry and further restrict the ability of the State

of Maine to develop air travel as an economic development tool to revitalize these hard hit and remote rural areas.

This economic restructuring increases the importance of access to airspace for private and commercial use and makes tourism and the natural resources on which it depends an ever more important factor than in the past. The draft EIS fails to consider the changing economic dynamics of the regions and underestimates the economic impact of the proposed air space changes on the ROIs.

E. General/Procedural:

1. The proposed changes to the Condor MOAs are so dramatic the EIS should treat the proposal as if it were creating a new MOA.
2. The proposal by the Air National Guard focuses on the lack of airspace for training activities in the Northeast. As a solution, it proposes a mix of new and expanded air space designations within the area. Therefore the Draft EIS focuses solely on the Northeast. With imminent reductions in military end strength, other training areas outside of the Northeast may now or soon be underutilized. No assessment is given to the availability of air space in already existing MOAs in other regions that may be as accessible as Maine from the bases in question. We recommend that before decisions are made to expand air space in the Northeast an extensive review of existing facilities that may become available as the military is downsized over the next 10-20 years.
3. The EIS takes the ANG's position at face value that the current training areas are not adequate. No attempt has been made to try to make the mission match the current airspace .

4. The EIS has a responsibility to examine all reasonable and viable alternatives including assessing whether the need for additional air space is real. The world situation has changed substantially over the past year or two and the nations's defense needs are changing accordingly. Low altitude training is hazardous no matter where it is carried out. The need for such training merits re-evaluation.